



**Town of Surfside
Town Commission Meeting
AGENDA
May 15, 2013
7 p.m.**

Town Hall Commission Chambers - 9293 Harding Ave, 2nd Floor
Surfside, FL 33154

1. Opening

- A. Call to Order**
- B. Roll Call of Members**
- C. Pledge of Allegiance**
- D. Mayor and Commission Remarks – Mayor Daniel Dietch**
- E. Agenda and Order of Business Additions, deletions and linkages**
- F. Community Notes – Mayor Daniel Dietch**
- G. Oath of Office of Town Manager Michael P. Crotty by ICMA Vice-President Lee Feldman, ICMA-CM (Fort Lauderdale City Manager)**
- H. Proclamation to Ms. Kernithia Jones-Neighbors, Ruth K. Broad K-8 Center – Mayor Daniel Dietch Page 1**
- I. Proclamation to Ms. Carmen Villanueva, Ruth K. Broad K-8 Center – Mayor Daniel Dietch Page 2**
- J. Proclamation in Memoriam to the Family of Dr. Rosann Sidener, Miami Beach Senior High School – Commissioner Joe Graubart Page 3**

2. Quasi-Judicial Hearings (None)

3. Consent Agenda (*Set for approximately 7:30 p.m.*)

All items on the consent agenda are considered routine or status reports by the Town Commission and will be approved by one motion. Any Commission member may request, during item 1E Agenda and Order of Business, that an item be removed from the Consent Agenda and discussed separately.

Recommended Motion: To approve all consent agenda items as presented below.

** Denotes agenda items as “must haves” which means there will be significant impacts if the item is not addressed tonight. If these items have not been heard by 10 p.m., the order of the agenda will be changed to allow them to be heard.*

- A. Minutes – April 9, 2013 Regular Commission Meeting Minutes Page 4-13**
April 23, 2013 Special Commission Meeting Minutes Page 14-16
- B. Budget to Actual Summary as of February 28, 2013 – Donald Nelson, Finance Director Page 17-19**
- *C. Town Manager’s Report (Points of Light) – Michael P. Crotty, Town Manager Page 20-60**
- *D. Town Attorney’s Report – Linda Miller, Interim Town Attorney Page 61-65**
- *E. Projects Progress Report – Calvin, Giordano and Associates, Inc. Page 66-68**
- F. Committee Reports – Michael P. Crotty, Town Manager (*Note: Vice Mayor Karukin has requested that Committee minutes appear on the Consent Agenda. The most recent approved minutes have been included*)**
 - February 25, 2013 DVAC Meeting Minutes Page 69-71**
 - March 18, 2013 Parks and Recreation Committee Meeting Minutes Page 72-74**

G. Mayor’s Climate Action Pledge – Mayor Daniel Dietch Page 75-162

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA (“TOWN”); ENDORSING THE MAYORS’ CLIMATE ACTION PLEDGE; AFFIRMING SUPPORT FOR THE SOUTHEAST FLORIDA REGIONAL CLIMATE CHANGE COMPACT; AGREEING TO CONSIDER IMPLEMENTING THE REGIONAL CLIMATE ACTION PLAN IN WHOLE OR IN PART AS APPROPRIATE FOR EACH MUNICIPALITY; AND URGING ALL MAYORS OF MIAMI-DADE COUNTY TO SUPPORT THE MAYORS’ CLIMATE ACTION PLEDGE; PROVIDING FOR AN EFFECTIVE DATE.

H. Emergency Operation Plan Update – David Allen, Chief of Police Page 163-167

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA (“TOWN”) ACCEPTING THE UPDATES TO THE TOWN EMERGENCY OPERATIONS PLAN APPROVED BY MIAMI-DADE COUNTY; PROVIDING FOR AN EFFECTIVE DATE.

I. Expenditure of Forfeiture Funds for the Purchase of Special Equipment – David Allen, Chief of Police Page 168-172

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, PROVIDING FOR THE FISCAL YEAR 2012/2013 POLICE CONFISCATION FUND EXPENDITURE IN THE AMOUNT OF \$2,000.00 FROM THE FORFEITURE FUND TO PURCHASE BREECHING TOOLS AND LESS THAN LETHAL CHEMICAL AGENTS FOR THE POLICE DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE

J. Mutual Aid Agreement between the North Bay Village Police Department and the Town of Surfside Police Department – David Allen, Chief of Police Page 173-193

A RESOLUTION OF THE TOWN COMMISSION FOR THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING AND DIRECTING THE TOWN MANAGER AND TOWN CLERK TO EXECUTE A MUTUAL AID AGREEMENT FOR OPERATIONAL ASSISTANCE IN LAW ENFORCEMENT AND EMERGENCIES WITH THE CITY OF NORTH BAY VILLAGE POLICE DEPARTMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

K. Pool Tot Lot Repairs – Tim Milian, Parks and Recreation Director Page 194-198

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA (“TOWN”) APPROVING THE AGREEMENT WITH NAUMANN NATURE SCAPES, INC.; ACCEPTING AND APPROVING PARTIAL EXPENDITURE OF REPAIRS FOR THE COMMUNITY CENTER WATER PLAYGROUND FROM THE GENERAL FUND, PARKS & RECREATION DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE.

4. Ordinances

(Set for approximately N/A p.m.) (Note: Good and Welfare must begin at 8:15)

A. Second Readings (Ordinances and Public Hearing)

1. Corner Clearance Ordinance – Sarah Sinatra, Town Planner

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” AMENDING CODE SECTION 90-52 “REQUIRED CLEARANCES” AND STRIKING CODE SECTION 90-92 “SIGHT TRIANGLES AND CLEARANCES”; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

{Ordinance has been deferred to the June 11, 2013 Regular Town Commission meeting at 7:00 PM}

(Set for approximately N/A p.m.) (Note: Good and Welfare must begin at 8:15)

B. First Reading Ordinances

5. Resolutions and Proclamations

(Set for approximately 8:30 p.m.) (Note: Depends upon length of Good and Welfare)

A. Memorandum of Understanding with Town of Surfside Community Dog Park Incorporated – Duncan Tavares, TEDACS Director Page 199-222

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA ACKNOWLEDGING THE MEMORANDUM OF UNDERSTANDING (“MOU”) BETWEEN THE TOWN OF SURFSIDE AND THE TOWN OF SURFSIDE COMMUNITY DOG PARK INC. TO ACT AS STEWARDS OF THE SURFSIDE PAWS UP PARK; AUTHORIZING THE TOWN MANAGER TO EXECUTE AND IMPLEMENT THE TERMS AND CONDITIONS OF THE MOU; AND PROVIDING FOR AN EFFECTIVE DATE.

AND

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING EXPENDITURE NOT TO EXCEED \$16,083.81. TO LUKES’ LANDSCAPING, INC. DBA LUKES-SAWGRASS LANDSCAPE FOR A PROPOSAL ON THE SURFSIDE PAWS UP PARK PROJECT; PROVIDING FOR AUTHORIZATION; PROVIDING FOR AN EFFECTIVE DATE.

B. Sympathy Resolution and \$250 Donation to a Scholarship Fund – Rosann Sidener, Miami Beach High School Principal – Commissioner Joe Graubart Page 223-231

A RESOLUTION OF THE TOWN OF SURFSIDE; APPROVING A DONATION OF \$250.00 TOWARDS ESTABLISHMENT OF AN EDUCATIONAL SCHOLARSHIP FUND IN HONOR OF DR. ROSANN SIDENER; THE DONATION WILL BE FUNDED FROM THE GENERAL FUND ACCOUNT NO. 001-1000-511-5290; PROVIDING APPROVAL AND AUTHORIZATION; PROVIDING FOR AN EFFECTIVE DATE.

**C. Abbott and 94th Street Parking Improvements – Michael P. Crotty, Town Manager
Page 232-249**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING AN EXPENDITURE NOT TO EXCEED \$46,891.43 FOR THE RENOVATION OF THE ABBOTT AVENUE PARKING LOT AND \$22,315.00 FOR RENOVATION OF THE 94TH STREET PARKING LOT, TO LYNX CONSTRUCTION LLC. FOR A WORK ORDER ON THE PARKING LOT IMPROVEMENT PROJECT; PROVIDING FOR AUTHORIZATION; PROVIDING FOR AN EFFECTIVE DATE.

AND

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING AN EXPENDITURE NOT TO EXCEED \$63,585.50 FOR THE ABBOTT AVENUE PARKING LOT AND \$38,051.70 ON THE 94TH STREET PARKING LOT TO LUKES' LANDSCAPING, INC. DBA LUKES-SAWGRASS LANDSCAPE FOR A PROPOSAL TO LANDSCAPE THE ABBOTT AVENUE AND 94TH STREET PARKING LOTS; APPROVING AND AUTHORIZING EXPENDITURES FROM THE MUNICIPAL PARKING FUND; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

D. Resolution to Authorize Expenditure of \$10,000.00 for Cost Estimate – Donald Nelson, Finance Director Page 250-257

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING THE APPROPRIATION AND EXPENDITURE OF \$10,000.00 FROM THE CAPITAL PROJECTS FUND ACCOUNT NO. 301-4400-541-3125 FOR FY 2012/2013 TO FLORIDA POWER & LIGHT FOR A REVISED UNDERGROUNDING BINDING COST ESTIMATE; PROVIDING FOR AN EFFECTIVE DATE.

E. 4th of July Fireworks – Tim Milian, Parks and Recreation Director Page 258-264

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE EXPENDITURE FOR ZAMBELLI FIREWORKS MANUFACTURING CO. FOR EXHIBITION AND

DISPLAY OF FIREWORKS; APPROVING THE EXPENDITURE OF \$4000.00 FROM THE RESORT TAX FUND, ACCOUNT NO. 102-8000-552-48-10 AND \$8000.00 FROM THE GENERAL FUND, PARKS & RECREATION DEPARTMENT, ACCOUNT NO. 001-6000-572-4810; PROVIDING FOR AN EFFECTIVE DATE.

6. Good and Welfare (Set for approximately 8:15 p.m.)

Public comments for subjects or items not on the agenda. Public comment on agenda items will be allowed when agenda item is discussed by the Commission.

7. Town Manager and Town Attorney Reports

Town Manager and Town Attorney Reports have been moved to the Consent Agenda – Item 3.

All items on the Consent Agenda are considered routine or status reports by the Town Commission and will be approved by one motion. Any Commission member may request, during item 1E Agenda and Order of Business, that an item be removed from the consent agenda and discussed separately.

8. Unfinished Business and New Business

9. Mayor, Commission and Staff Communications

A. Short Term Parking Meters 15-30 Minutes – Commissioner Joe Graubart Page 265-266

B. Commercial Vehicles Parking – Michael P. Crotty, Town Manager Page 267-268

C. Saturday (weekend) Commercial Landscape Maintenance and “Gardeners” – Commissioner Joe Graubart Page 269

D. Water and Sewer Project and Drainage – Commissioner Michelle Kligman *{Item will be delivered under separate cover}*

E. Rising Sea Levels - Commissioner Michelle Kligman *{Item will be delivered under separate cover}*

F. Construction Worker Parking Program – Commissioner Joe Graubart Page 270

G. Comprehensive Plan Text Amendment – Shelley Eichner, Town Planner Page 271-289 (TIME CERTAIN 7:45 PM)

H. Town-wide Traffic Study Public Outreach – Michael P. Crotty, Town Manager Page 290-291

I. Calendar for FY 13/14 Budget Process – Michael P. Crotty, Town Manager *{Item will be delivered under separate cover}*

J. Harding Avenue Streetscape Design Presentation – Duncan Tavares, TEDACS Director (TIME CERTAIN 9:00 PM) *{Item will be delivered under separate cover}*

K. Code Enforcement and Hedges – Commissioner Michelle Kligman *{Item will be delivered under separate cover}*

10. Adjournment

Respectfully submitted,



Michael P. Crotty
Town Manager

THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS ARE DISABLED; WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE TOWN CLERK AT 305-893-6511 EXT. 226 NO LATER THAN FOUR DAYS PRIOR TO SUCH PROCEEDING. HEARING IMPAIRED PERSONS MAY CONTACT THE TDD LINE AT 305-893-7936.

IN ACCORDANCE WITH THE PROVISIONS OF SECTION 286.0105, FLORIDA STATUTES, ANYONE WISHING TO APPEAL ANY DECISION MADE BY THE TOWN OF SURFSIDE COMMISSION, WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH RECORD SHALL INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

AGENDA ITEMS MAY BE VIEWED AT THE OFFICE OF THE TOWN CLERK, TOWN OF SURFSIDE TOWN HALL, 9293 HARDING AVENUE. ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM SHOULD CONTACT THE TOWN CLERK AT 305-861-4863. A COMPLETE AGENDA PACKET IS ALSO AVAILABLE ON THE TOWN WEBSITE AT www.townofsurfsidefl.gov

TWO OR MORE MEMBERS OF OTHER TOWN BOARDS MAY ATTEND THIS MEETING.

THESE MEETINGS MAY BE CONDUCTED BY MEANS OF OR IN CONJUNCTION WITH COMMUNICATIONS MEDIA TECHNOLOGY, SPECIFICALLY, A TELEPHONE CONFERENCE CALL. THE LOCATION 9293 HARDING AVENUE, SURFSIDE, FL 33154, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT FOR SUCH COMMUNICATION.



Proclamation

Whereas, Ruth K, Broad Bay Harbor K-8 Center and the Town of Surfside declare June 7, 2013 as Appreciation Day in honor of Kernithia Jones-Nabors for her devoted and conscientious service to our children;

Whereas, we recognize her excellence in teaching which has endured throughout her seventeen years of service in the field of education, sixteen of those years were at Ruth K, Broad Bay Harbor K-8 Center;

Whereas, we recognize her caring, compassionate and dedicated service to our students inside and outside the classroom;

Whereas, her outstanding passion for teaching and her gifts as an educator have been shared with her students;

Whereas, we recognize her efficient and effective administration of the after school FCAT tutoring programming;

Whereas, she has expressed her creativity in the classroom and has shared this talent with her students and other teachers;


Whereas, we recognize her ability to bring smiles, fun and laughter (and amazing home cooking) to the classroom and school;

Whereas, we recognize her refusal to give up on any student and her ability to always find a way to connect and make her students, and sometimes not even her own students, feel special;

Whereas, she will be sorely missed by the students, staff, administration, parents and friends;

Now, Therefore, the Bobcat Family and the Town of Surfside do hereby proclaim June 7, 2013 Kernithia Jones-Nabors Day in observance thereof, we call upon her friends and family to join us in celebration of this day.

In witness thereof I have hereunto set my hand this 15th day of May, 2013.



Daniel Dietch, Mayor
Town of Surfside, Florida





Proclamation

Whereas, Ruth K. Broad Bay Harbor K-8 Center and the Town of Surfside declare May 29, 2013 as Appreciation Day in honor of Carmen Villanueva for her devoted and conscientious service to our children;

Whereas, twenty one of those years were at Ruth K. Broad Bay Harbor K-8 Center;

Whereas, we recognize her caring, compassionate and dedicated service to our students;

Whereas, she has expressed patience and diligence when working with students and staff;

Now, Therefore, the Bobcat Family and the Town of Surfside do hereby proclaim May 29, 2013 Carmen Villanueva Day in observance thereof, we call upon her friends and family to join us in celebration of this day.

In witness thereof I have hereunto set my hand this 15th day of May, 2013.

Daniel Dietch, Mayor
Town of Surfside, Florida





Proclamation

Whereas, The Town of Surfside expresses and extends its sympathy to the family and loved ones of former Miami Beach High School Principal, Dr. Rosann Sidener, who died April 15, 2013, while fighting her battle with cancer;

Whereas, Dr. Sidener served as the Principal of Miami Beach Senior High School since 2007 and brought the school's academic performance to a letter "A" by the State of Florida;

Whereas, Dr. Sidener had a major positive impact on the families of many of the citizens of Miami-Dade County and the Town of Surfside; and

Whereas, Dr. Sidener introduced the International Baccalaureate School to Miami Beach Senior High School in March 2010;

Whereas, Dr. Sidener was named Principal of the Year by the Florida Association of School Administrators in May of 2012;

Whereas, Dr. Sidener was honored by the City of Miami Beach Chamber of Commerce and received the Jan Pfeiffer Distinguished Service Award;

Whereas, Dr. Sidener was honored by Miami Beach Senior High School with a "Rosann Sidener Way" Street sign upon entrance to the school's bus lane;

Whereas, the Town of Surfside strongly supports a Proclamation honoring Dr. Rosann Sidener for distinguished education service for Miami-Dade County; and

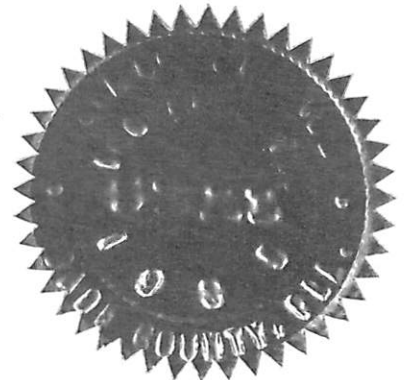
Now, Therefore, the Town of Surfside does hereby extend this Proclamation in memoriam to the family of Dr. Rosann Sidener, with sincere gratitude for her commitment and contribution to education and the community.

Her Legacy Will Live On.

In witness thereof I have hereunto set my hand this 15th day of May, 2013.

*Daniel Dietch, Mayor
Town of Surfside, Florida*

*This Proclamation Sponsored By: Joe Graubart, Commissioner
MBSHS Class of 1969*





**Town of Surfside
Town Commission Meeting
MINUTES
April 9, 2013
7 p.m.**

Town Hall Commission Chambers - 9293 Harding Ave, 2nd Floor
Surfside, FL 33154

1. Opening

A. Call to Order

Mayor Dietch called the meeting to order at 7:02 P.M.

B. Roll Call of Members

Town Clerk Sandra Novoa called the roll with the following members present: Mayor Dietch, Vice Mayor Karukin, Commissioner Olchyk, Commissioner Kligman and Commissioner Graubart.

C. Pledge of Allegiance

Chief of Police David Allen led the Pledge of Allegiance

D. Mayor and Commission Remarks – Mayor Daniel Dietch

Commissioner Graubart spoke and apologized for the errors on some of the water bills and stated that they will all be corrected. He also welcomed new Town Manager Michael P. Crotty and asked the Town Commission to give Manager Crotty the necessary time to get up to speed.

Mayor Dietch spoke about the accomplishments of the Town Commission during Town Manager Roger M. Carlton's administration and presented him with a proclamation that he read into the record.

Vice Mayor Karukin presented Town Manager Roger M. Carlton with a Bobble Head that looked exactly like him. Commissioner Kligman presented Town Manager Roger M. Carlton with his own "Roger's Way" street sign.

E. Agenda and Order of Business Additions, deletions and linkages

Commissioner Graubart linked item 2 on page 20 to item 3 on page 61, item 12 on page 24 to item 43 on page 41, item 9A to item 9G and item 9H to item 9O.

F. Community Notes – Mayor Daniel Dietch

Mayor Dietch announced Town Manager Roger M. Carlton's Farewell and Welcome new Town Manager Michael P. Crotty at Flannigan's on Friday April 26, 2013 from 5pm – 7pm.

He also invited the Community to an informal Town Hall Meeting to Meet and Greet New Manager Michael Crotty on April 30, 2013 at 7:00 pm in the Community Center.

Mayor Dietch announced other events and programs that could be found in the Town's website.

Commissioner Graubart announced different events that could be found in the Town's website as well.

Mayor Dietch spoke about the Mayor's meeting that he attended with the Mayors from the neighboring communities and the opportunity for expanded cooperation.

G. Officers of the Month of March 2013 – Sgt. Patrick McKenna and Detective Marian Valino – Chief of Police David Allen

Chief David Allen presented Sgt. Patrick McKenna and Detective Marian Valino with the Employee of the Month award.

H. Recognition of Lieutenant Rory Alberto for Completing the FBI National Academy – Chief of Police David Allen

Chief David Allen recognized Lieutenant Rory Alberto for completing the FBI National Academy and congratulated him for being one of the participants chosen from 49 states and 26 countries that attended this academy. Lt. Alberto is the first officer in the history of Surfside to attend the FBI National Academy.

I. Recognition of Commissioner Michelle Kligman from the School Board of Miami Dade County for Spearheading the Bullying Program – Mayor Daniel Dietch

Mayor Dietch recognized Commissioner Kligman and read the Proclamation she received from the School Board of Miami Dade County.

Commissioner Kligman recognized the Town Commission and thanked them as well for their support in the anti-bullying program.

2. Quasi-Judicial Hearings (None)

3. Consent Agenda (*Set for approximately 7:30 p.m.*)

Commissioner Olchyk pulled item 3B, page 17; item 12, page 5 and item 49, page 18.

Commissioner Graubart pulled item 43, page 35; item 2, page 20 and item 12, page 24.

Commissioner Kligman pulled item 2, page 20; item 34, page 33; item 42, page 35 and item 45, page 36.

Vice Mayor Karukin made a motion to approve the Consent Agenda minus the pulled items. The motion received a second from Commissioner Kligman and all voted in favor.

A. Minutes – March 12, 2013 Regular Commission Meeting Minutes

March 18, 2013 Special Commission Meeting Minutes

B. Budget to Actual Summary as of January 30, 2013 – Donald Nelson, Finance Director

Commissioner Olchyk asked about the Forfeiture Fund Revenue of \$4. Town Manager Roger M. Carlton stated that it is just interest. Chief David Allen explained the process and how long does it take to receive the funds.

***C. Town Manager's Report (Points of Light)** – Roger M. Carlton, Town Manager

Item 2, Page 1 - Commissioner Kligman asked for an update on the project. Town Manager Roger M. Carlton stated the reason that some streets are still unpaved on the south is because the asphalt trucks had to get to the west side of town, The Town did not want the contractor to be driving on new asphalt and that is why some of the streets are not completed. He also spoke about the price of the asphalt today which is higher than was bid two years ago and what they are doing to complete the project.

Chris Giordano spoke on the item as well.

Item 12, Page 5 – Commissioner Olchyk asked for an update on the Dog Park. Town Manager Roger M. Carlton stated that the pump station has to be finished before the dog park construction begins. The Town Manager stated that the dog park will cost more than budgeted and he would like the authorization from the Town Commission to get it finish and have it open as soon as possible with a budget not to exceed \$18,000. The additional funds would come from the excess funds in the bus shelter allocation.

Vice Mayor Karukin made a motion to accept. Commissioner Graubart stated that the outdoor Fitness Equipment should be added to the FY 13/14 budget process but now the Dog Park is going from \$10,000 to \$18,000. Vice Mayor Karukin explained that the Dog Park went to the budget process during the 12/13 budget process and they were allocating more funds but that the issue was already approved. The motion received a second from Commissioner Kligman. The motion passed 3-1 with Commissioner Olchyk in opposition and Commissioner Graubart absent from the dais.

Item 34, Page 14 – Commissioner Kligman asked if there is an ordinance being drafted for the grass blowers. Town Manager Roger M. Carlton stated that there is an ordinance in place but it is not being enforced and that more information will be available at the Code Compliance Workshop on April 17, 2013.

Item 42, Page 16 – Commissioner Kligman stated that she has expressed her concerns about the elderly residents trying to get to Mt. Sinai Hospital and she was not sure that what was offered in the Points of Light will help because there is a fee for the program and it defeats the purpose. Town Manager Roger M. Carlton stated that the only way to provide a bigger discount than the Jewish Family Services program is to be subsidized by the Town from the General Fund. Commissioner Kligman requested staff to bring options as part of the FY 13/14 budget process.

At 11:00 p.m. Vice Mayor Karukin made a motion to extend the meeting ninety (90) minutes. The motion received a second from Mayor Dietch and all voted in favor.

Item 43, Page 16 – Commissioner Graubart would like the Town Commission to give the Town Attorney the authority to look into the plastic bag ban. Sarah Johnston, Interim Assistant Town Attorney stated that they looked into the item and the Town can adopt a voluntary program but the Florida Legislature in 2009 amended the statute that until they adopt a report from Department Environmental Protection (DEP), local government would not be able to ban or regulate plastic bags. She stated that there is a current bill for this session changing that and adopting the report. Commissioner Graubart made a motion for the Administration to inform Town Lobbyist Fausto Gomez to advocate this item in the Legislature. Commissioner Kligman seconded the motion. Motion passed 3-1 with Vice Mayor Karukin voting in opposition and Mayor Dietch abstaining.

Item 45, Page 17 – Item linked to item 9C.

Item 49, Page 18 – Commissioner Olchyk asked the staff to send letters to School Principals and Counselors and asked them to send us the information and we will contact the student's parents. She stated that if there is a need for a Commissioner to

attend any meetings she will be happy to do so if other Commissioners are unavailable.

***D. Town Attorney's Report** – Linda Miller, Interim Town Attorney

***E. Projects Progress Report** – Calvin, Giordano and Associates, Inc.

Commissioner Graubart asked Chris Giordano if there was anything to inform them about how the project is wrapping up and if he had any concerns that he would like to share with the Town Commission. Chris Giordano responded in the negative.

Commissioner Graubart asked if there were any updates regarding the funding. Chris Giordano with CGA responded that as they wrap up the project they will be requesting the grant reimbursements.

He also added they are still waiting for the permit to repair the seawall at 88th and Carlyle.

F. Committee Reports – Roger M. Carlton, Town Manager (*Note: Vice Mayor Karukin has requested that Committee minutes appear on the Consent Agenda. The most recent approved minutes have been included*)

- December 17, 2012 Parks and Recreation Committee Meeting Minutes
- December 18, 2012 Downtown Vision Advisory Committee Parking Structure Feasibility Study Subcommittee Meeting Minutes
- January 7, 2013 Tourist Board Meeting Minutes
- February 4, 2013 Tourist Board Meeting Minutes
- February 11, 2013 Parks and Recreation Committee Meeting Minutes
- March 20, 2013 Downtown Vision Advisory Committee Parking Structure Feasibility Study Subcommittee Meeting Minutes

Commissioner Olchyk made a motion to approve the remaining items on the Consent Agenda. The motion received a second from Commissioner Kligman and all voted in favor.

4. Ordinances

(Set for approximately 9:15 p.m.) (*Note: Good and Welfare must begin at 8:15*)

A. Second Readings (Ordinances and Public Hearing)

***1. Outdoor Dining Ordinance** – Sarah Sinatra, Town Planner

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 "ZONING", ARTICLE IV "DISTRICT REGULATIONS" AND SPECIFICALLY AMENDING SECTION 90-41 "REGULATED USES" OF THE TOWN OF SURFSIDE CODE OF ORDINANCES ADDING OUTDOOR DINING AS A PERMITTED USE IN THE SD-B40 ZONING DISTRICT; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE

Town Clerk Sandra Novoa read the title of the ordinance.

Town Manager Roger M. Carlton introduced the item.

Vice Mayor Karukin made a motion to approve. Commissioner Olchyk seconded the motion.

Mayor Dietch opened the Public Hearing. No one wished to speak in favor or against the item. Mayor Dietch closed the public hearing.

The motion carried 4-0 with Commissioner Olchyk absent from the dais.

(Set for approximately 9:30 p.m.) (Note: Good and Welfare must begin at 8:15)

B. First Reading Ordinances

1. Corner Clearance Ordinance – Sarah Sinatra, Town Planner

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” AMENDING CODE SECTION 90-52 “REQUIRED CLEARANCES” AND STRIKING CODE SECTION 90-92 “SIGHT TRIANGLES AND CLEARANCES”; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Sandra Novoa read the title of the ordinance.

Town Planner Shelley Eichner introduced the item to the Town Commission.

Vice Mayor Karukin made a motion to accept on first reading. The motion received a second from Commissioner Graubart. The motion carried 5-0.

5. Resolutions and Proclamations

(Set for approximately 9:45 p.m.) (Note: Depends upon length of Good and Welfare)

***A. Town Hall Janitorial Services – John DiCenso, Interim Public Works Director**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING THE AGREEMENT WITH KELLY JANITORIAL SERVICES INC., FOR JANITORIAL SERVICES THROUGHOUT TOWN HALL; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTRACT; AND PROVIDING FOR AN EFFECTIVE DATE.

Interim Public Works Director John DiCenso introduced the item to the Town Commission.

Commissioner Graubart made a motion to approve. The motion received a second from Vice Mayor Karukin and all voted in favor.

B. Isaac Singer Boulevard Signage – John DiCenso, Interim Public Works Director

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA; AUTHORIZING A CORRECTION TO STREET SIGN NAME FROM "ISAAC SINGER BOULEVARD" TO "ISAAC BASHEVIS SINGER BOULEVARD; AUTHORIZING APPROXIMATELY \$1400 TO REPLACE THE EXISTING SIGNS AND INSTALL TWO (2) GROUND MOUNTED MEMORIAL DESIGNATION SIGNS AT EACH END OF 95TH STREET WHICH WERE NOT PART OF THE ORIGINAL PROJECT; PROVIDING FOR AN EFFECTIVE DATE.

Town Manager Roger M. Carlton introduced the item to the Town Commission.

Nancy Levin spoke on the item.

Vice Mayor Karukin made a motion to accept. The motion received a second from Commissioner Kligman for discussion purposes only.

Commissioner Kligman made a motion to approve. The motion received a second from Commissioner Graubart and all voted in favor.

***C. Resolution In Opposition to House Bill 999**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, URGING THE HONORABLE GOVERNOR AND THE STATE OF FLORIDA LEGISLATURE TO OPPOSE THE PROPOSED HOUSE BILL 999 “ENVIRONMENTAL REGULATION” LIMITING A MUNICIPALITY’S ABILITY TO REQUEST ADDITIONAL INFORMATION FROM A DEVELOPMENT APPLICANT AFTER A PRE-APPLICATION MEETING; PROVIDING FOR AUTHORIZATION; PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Graubart made a motion to approve. The motion received a second from Commissioner Olchyk and all voted in favor.

D. Expressing Sympathy to the Family of Susan McGlynn, Head Librarian for the Town of Surfside – Tim Milian, Parks and Recreation Director

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA; EXPRESSING SYMPATHY TO THE FAMILY OF SUSAN MCGLYNN, HEAD LIBRARIAN FOR THE TOWN OF SURFSIDE FOR 17 YEARS; AUTHORIZING PLACEMENT OF A MEMORIAL BRICK

IN THE SURFSIDE COMMUNITY CENTER; PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Graubart made a motion to accept. The motion received a second from Vice Mayor Karukin and all voted in favor.

- *E. FY 12/13 Proposed Mid-Year Budget Amendment Resolution** – Roger M. Carlton, Town Manager
Item deferred by Town Manager Roger M. Carlton.

6. Good and Welfare (Set for approximately 8:15 p.m.)

Peter Nevel spoke of his concerns with underground garages and he suggested that if there is a need for garages to make sure they are above ground.

Mr. Cohen spoke about the terms of the Commission and the need to extend it to four (4) years and they should be staggered terms as well. He also acknowledges the passing of Susan McGlynn the Town's Librarian.

7. Town Manager and Town Attorney Reports

Town Manager and Town Attorney Reports have been moved to the Consent Agenda – Item 3.

All items on the Consent Agenda are considered routine or status reports by the Town Commission and will be approved by one motion. Any Commission member may request, during item 1E Agenda and Order of Business, that an item be removed from the consent agenda and discussed separately.

8. Unfinished Business and New Business

9. Mayor, Commission and Staff Communications

A. Financing the Proposed Conversion of Overhead Utilities to Underground –

Item 9A was linked to item 9G.

Commissioner Joe Graubart

B. Severance/Compensation – Commissioner Joe Graubart

Commissioner Graubart deferred the item.

C. Town Calendar – Commissioner Joe Graubart

This item will be reported on under Points of Light 44. The Administration is working to purchase a Management System for better tracking of contracts, agreements and other documents.

D. Commission Directive: Town Manager Short Term Priorities – Commissioner Joe Graubart

Item deferred by Commissioner Graubart

E. Surfside Walking Path – Commissioner Marta Olchyk

Commissioner Olchyk presented the item.

After some discussion Commissioner Olchyk made a motion to add the item to the Points of Light and for the Town Manager to bring back options on how to enforce the issue of bicycles and dogs on the walking path. The motion received a second from

Mayor Dietch. The motion passed 3-1 with Vice Mayor Karukin voting in opposition and Commissioner Graubart absent from the dais.

F. Performance Pay for Town Manager – Vice Mayor Michael Karukin

Vice Mayor Karukin presented the item.

Vice Mayor Karukin made a motion to accept. The motion received a second from Commissioner Kligman. The motion passed 4-1 with Commissioner Graubart voting in opposition.

***G. FPL Undergrounding Update Seven – Roger M. Carlton, Town Manager**

No action taken on this item.

H. Surfside Ballot Question(s) for the March Election of 2014; Regarding Multi-level Parking Garage(s) – A/K/A Parking Structures and Their Location (s) –

Commissioner Joe Graubart

Item was linked to item 9O.

Discussion took place under item 9O.

I. Short Term Parking Meters 15-30 Minutes – Commissioner Joe Graubart

Commissioner Graubart deferred the item to the May 2013 Regular Town Commission Meeting.

J. Donation of \$250 to the Miami Lighthouse in Memory of Frances Estelle Kopelman

– Roger M. Carlton, Town Manager

Town Manager Roger M. Carlton presented the item.

Vice Mayor Karukin made a motion to adopt. The motion received a second from Commissioner Kligman and all voted in favor.

***K. Miami Dade County Special Election Regarding Sun Life Stadium Improvements Conflicting with Regularly Schedule Town Commission Meeting on May 14, 2013 –**

Roger M. Carlton, Town Manager

Town Manager Roger M. Carlton presented the item.

Vice Mayor Karukin made a motion to change the Regular Commission Meeting from Tuesday, May 14, 2013 to Wednesday, May 15, 2013 at 7:00 p.m. The motion received a second from Commissioner Graubart and all voted in favor.

L. 50,000 Guests at the Community Center – Tim Milian, Parks and Recreation Director

Parks and Recreation Director presented the item and stated that on March 23, 2013, the attendance reached 50,000 and was marked by the Zaniniri family.

***M. FY 11/12 Comprehensive Annual Financial Report (CAFR) Acceptance – Finance Director Donald Nelson (*SET FOR TIME CERTAIN 7:45 PM*)**

Town Manager Roger M. Carlton introduced the item to the Town Commission.

Auditor Michael Futterman with Marcum, LLP spoke on the audit and provided the Town Commission with an overview of the report.

Vice Mayor Karukin made a motion to approve the CAFR Report. The motion received a second from Commissioner Olchyk and all voted in favor.

***N. Traffic Study (Please bring the Traffic Study book provided in December 2012) – Roger M. Carlton, Town Manager (*SET FOR TIME CERTAIN 8:30 PM*)**

Town Manager Roger M. Carlton presented the item.

Jeff Maxwell, Associate Director of Traffic Engineering with CGA presented the study with a power point presentation.

Commissioner Graubart proposed to closed 90th and 92nd Street at Harding Avenue to provide a safer environment for Surfside residents.

Peter Filiberto spoke in favor of the item.

Ken Arnold spoke in favor of the item.

Commissioner Kligman posed questions about the traffic calming devices.

Vice Mayor Karukin asked questions about the study and the actions if the report is accepted.

Town Manager Roger M. Carlton explained that starting the process and accepting the report is not committing them to anything. Accepting the report will only direct staff to work with Miami-Dade County to get the traffic signal timing on 96th Street at Harding and Collins adjusted to improve the traffic flow and start the citizens' involvement process with neighborhood meetings and the Town Commission will receive reports on what the citizens want.

Commissioner Kligman asked that during the citizens' involvement process they take into consideration the two closures that Commissioner Graubart suggested and also a partial closure on Byron Avenue at 88th Street.

Mayor Dietch asked that part of the acceptance could be for staff to come back with a framework on what public engagement would entail and when and where the meetings will take place.

Mayor Dietch would like to include four items on the motion, the closure at Byron Avenue and 88th Street, installing a pedestrian crossing at Byron and 96th street, increasing the distance of the striping on Byron Avenue and 96th Street because one of the issues is that cars park on the east side of Byron Avenue and cars are unable to turn right on 96th street and the last one is the striping and stop signs that were removed from 90th Street.

Commissioner Kligman made a motion to accept the study, authorize the timing on 96th street at Harding and Collins adjusted to improve the traffic flow, authorize the public involvement process and add the various items requested by the members of the Town Commission. The motion received a second from Commissioner Olchyk and all voted in favor.

***O. Parking Structure Feasibility Study –Roger M. Carlton, Town Manager (*SET FOR TIME CERTAIN 9:00 PM*)**

Item was linked to item 9H

Town Manager Roger M. Carlton presented the item to the Town Commission.

Eddie Lamas from C3TS presented a Power Point presentation to the Town Commission.

Mr. Shuster was called to speak but was no longer in the chambers.

Peter Filiberto spoke on the item.

Vice Mayor Karukin would like to get copies of the options slide, project cost summary slide and economic analysis summary slide from the power point presentation. He stated that he is not completely in agreement with all of the conclusions and analysis but the parking count studies have all found the same thing that there is a deficit of somewhere between 200 and 300 spaces depending on when and how you do the study. He stated that on the options slides he didn't see anything that may be feasible for the short term.

Chief of Police David Allen spoke about the commercial vehicles parking in the parking lots and the parking issues this is creating for the Police Department.

Commissioner Graubart stated that this was discussed a few years ago and that one of the alternatives was building a Municipal Parking Garage at Town Hall. He stated that

he could not vote in favor of accepting the report unless there was an amendment that they would put this to referendum and let the residents decide. Town Manager Roger M. Carlton stated that a referendum question was limited to 75 words that to be very specific and clear. Therefore the Town Commission should decide what it wanted to put before the attorneys citizens before a referendum was scheduled.

Commissioner Olchyk stated that they should not go to a referendum without deciding the different options available to the residents and that the only thing they are doing is accepting the report in front of them.

Commissioner Olchyk requested to add the parking lot issue next to Town Hall to the Points of Light.

Commissioner Kligman stated that for her it was not only about a parking structure, it was also about a parking structure that will also create a space that will connect people to their community. She stated that this should probably go to a referendum at some point but in her opinion they should know what kind of partnership they are getting into and all the information possible before they put it out to a vote.

Commissioner Olchyk made a motion to accept the report, for staff to put together a framework for how this will be decided and to authorize public involvement. The motion received a second from Commissioner Kligman. The motion passed 4-1 with Commissioner Graubart voting in opposition.

P. Commercial Vehicles Parking – Roger M. Carlton, Town Manager

Item was discussed during the Parking Study Item 9O.

10. Adjournment

There being no further business to come before the Commission, the meeting adjourned at 12:21 a.m.

Accepted this ____ day of _____, 2013

Daniel Dietch, Mayor

Attest:

Sandra Novoa, CMC
Town Clerk



**Town of Surfside
Special Town Commission Meeting**

MINUTES

April 23, 2013

7 p.m.

**Town Hall Commission Chambers - 9293 Harding Ave, 2nd Floor
Surfside, FL 33154**

1. Opening

A. Call to Order

Mayor Dietch called the meeting to order at 7:03 P.M.

B. Roll Call of Members

Town Clerk Sandra Novoa called the roll with the following members present: Mayor Dietch, Vice Mayor Karukin, Commissioner Kligman and Commissioner Graubart. Commissioner Olchyk was absent

C. Pledge of Allegiance

Chief of Police David Allen led the Pledge of Allegiance

2. Quasi-Judicial Hearings

Please be advised that the following items on the Agenda are Quasi-Judicial in nature. If you wish to object or comment upon an item, please complete a Public Speaker's Card indicating the agenda item number on which you would like to comment. You must be sworn before addressing the Town Commission and you may be subject to cross-examination. If you refuse to submit to cross-examination, the Town Commission will not consider your comments in its final deliberation. Please also disclose any Ex-Parte communications you may have had with any members of the Town Commission. Town Commission members must also do the same.

A. Surf Club Application for Amended Site Plan – Roger M. Carlton, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF SURFSIDE, FLORIDA, APPROVING AN APPLICATION FOR AMENDED SITE PLAN, PURSUANT TO SECTION 90-41 ET SEQ. OF THE ZONING CODE, TO PERMIT A 285 UNIT CONDOMINIUM/HOTEL INCLUDING A GOURMET SPECIALTY FOOD PRODUCT STORE, A FOUR STAR HOTEL WITH A FIRST CLASS QUALITY SPA, ROOF TOP DECKS, POOLS, 668 PARKING SPACES, TANDEM PARKING, AND 24 HOUR VALET PARKING CONSISTING OF THREE 12-STORY BUILDINGS ON THE EAST SIDE OF COLLINS AVENUE AND TWO 4-STORY BUILDINGS ON THE WEST SIDE OF COLLINS AVENUE, AND CONDITIONAL USES, PURSUANT TO SECTION 90-23-2 OF THE ZONING CODE, TO PERMIT THE

DEVELOPMENT OF STRUCTURED PARKING, HOTEL SWIMMING POOLS, JACUZZI, OUTDOOR DINING, LOUNGES/BARS, AND A ROOF TOP BAR, ALL WITH AN ADDRESS OF 9011 COLLINS AVENUE, SURFSIDE, FL, AS SUBMITTED BY THE SURF CLUB, INC., SUBJECT TO CERTAIN CONDITIONS WHICH SHALL BE INCLUDED IN A RECORDED COVENANT RUNNING WITH THE LAND, AND PROVIDING FOR A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

Town Clerk Sandra Novoa swore in everyone wishing to speak in favor of or against the item.

Town Attorney Linda Miller spoke about the process and asked the Town Commission if anyone had ex-parte communications with the Applicant or any objector.

Commissioner Graubart stated that he met with the Town Manager, Town Staff and the Applicant a well.

Commissioner Kligman stated that she had no ex-parte communications with the Applicant.

Vice Mayor Karukin stated that he had ex-parte communications with the Applicant.

Mayor Dietch stated that he had ex-parte communications with the Applicant.

Town Planner Shelley Eichner introduced the item to the Town Commission.

Alexander Tachmes, Shutts & Bowen, representing the Applicant, presented the item to the Town Commission.

Architect Kobi Karp presented a power point presentation to the Town Commission with the proposed changes.

Mayor Dietch opened the public hearing.

Lynne Ohalpin representing the Beach House spoke in favor of the site plan amendment.

No one else wished to speak on the item. Mayor Dietch closed the public hearing.

Commissioner Graubart asked a question if the beach easement was the same as the one recently approved for the Chateau. Special Counsel Nancy Stroud responded affirmatively. He also asked if the proposal was in accordance with the Town's Charter and the Town's Comprehensive Plan. Special Counsel Nancy Stroud responded affirmatively. Commissioner Graubart asked the applicant if it was possible to have a Safety Officer on site during construction and he referred to item 5, page 19 of the Agenda Packet. Alexander Tachmes representing the applicant agreed to grant that request. Commissioner Graubart would like to add a traffic study to the 91st street and he referred to item 15, page 15.

Vice Mayor Karukin asked if the Town could use the just finalized Town Traffic Study to be able to secure the traffic signal at 91st street. Town Manager Roger M. Carlton stated that the Surf Club was conducting their own traffic study.

Commissioner Kligman stated that it is very rare that a project comes back in front of the board to reduce size and that she is very pleased with the proposed amendment. She made a clarification regarding her ex-parte communication that she e-mailed the applicant but never met in person.

Commissioner Kligman made a motion to approve the site plan amendments with the following conditions:

- Applicant will work cooperatively with the Town to apply for a traffic signal on 91st street and will appeal any denial of the traffic signal with the Florida Department of Transportation (FDOT).
- Applicant will provide a police officer on an as needed basis in consideration with the Town's Police Department at the crosswalk at intersection of 91st street and Collins Avenue if a traffic signal is not approved.
- Applicant will assign a safety officer during construction to ensure that vehicles entering Collins Avenue are clear of sand, dust and debris.
- Applicant will sift sand to remove stones/cobbles in the area east of 90th Street to the hardpack.
- If a traffic signal is approved on 91st street, applicant will provide a second outbound lane on Collins Avenue.
- Applicant will provide \$25,000 to the Parent Teacher Association (PTA) of Ruth K. Broad K-8 Center for the sole purpose to support the Building a Better Playgrounds Program.

The motion received a second from Vice Mayor Karukin. The motion carried 4-0 with Commissioner Olchyk absent.

3. Adjournment

There being no further business to come before the Commission, the meeting adjourned at 8:04 p.m.

Accepted this _____ day of _____, 2013

Daniel Dietch, Mayor

Attest:

Sandra Novoa, CMC
Town Clerk

TOWN OF SURFSIDE, FLORIDA
MONTHLY BUDGET TO ACTUAL SUMMARY
FISCAL YEAR 2012/2013

AS OF

February 28, 2013

42% OF YEAR EXPIRED (BENCHMARK)

Agenda Item #

Page

1 of 3

Agenda Date: May 14, 2013

GOVERNMENTAL FUNDS

ACTUAL

ANNUAL BUDGETED	% BUDGET
----------------------------	---------------------

GENERAL FUND

REVENUE	\$5,919,098 *	\$10,225,227	58%
EXPENDITURES	4,569,406 A-1	\$10,225,227	45%
Net Change in Fund Balance	1,349,692		
Fund Balance-September 30, 2012 1(audited)	5,266,374 A		
Fund Balance-February 28, 2013 (Reserves)	<u>\$6,616,066</u>		

RESORT TAX (TEDAC SHARE)

REVENUE	\$70,285 *	\$230,811	30%	B
EXPENDITURES	114,951	\$230,811	50%	
Net Change in Fund Balance	(44,666)			
Fund Balance-September 30, 2012 1(audited)	171,496			
Fund Balance-February 28, 2013 (Reserves)	<u>\$126,830</u>			

POLICE FORFEITURE/CONFISCATION

REVENUE	\$5	\$162,490	0%	C
EXPENDITURES	24,476	\$162,490	15%	
Net Change in Fund Balance	(24,471)			
Fund Balance-September 30, 2012 1(audited)	122,272			
Fund Balance-February 28, 2013 (Reserves)	<u>\$97,801</u>			

TRANSPORTATION SURTAX

REVENUE	\$72,862 *	\$185,830	39%	D
EXPENDITURES	94,801	\$185,830	51%	
Net Change in Fund Balance	(21,939)			
Fund Balance-September 30, 2012 1(audited)	122,302			
Fund Balance-February 28, 2013 (Reserves)	<u>\$100,363</u>			

CAPITAL PROJECTS

REVENUE	\$25,171	\$561,000	4%
EXPENDITURES	84,833	\$561,000	15%
Net Change in Fund Balance	(59,662)		
Fund Balance-September 30, 2012 1(audited)	132,783		
Fund Balance-February 28, 2013 (Reserves)	<u>\$73,121</u>		

NOTES:

* Many revenues for February, 2013 are received in subsequent months (timing difference) and are recorded on a cash basis in the month received.

A. Includes \$2,000,000 available for hurricane/emergencies. The balance of \$3,266,374 is unassigned fund balance (reserves).

A-1. Includes Town's annual General Fund pension contribution of \$473,991 & Davis Settlement.

B. Timing Difference - February Resort Tax revenues are received in March, 2013.

Total Resort Tax Revenues of \$189,135 were received thru January, 2013 (\$70,285 to TEDAC, \$118,850 to the General Fund).

C. Forfeiture revenue fluctuates widely.

D. Timing Difference - February, 2013 CITT revenues are received in May, 2013.

ENTERPRISE FUNDS

ACTUAL

ANNUAL BUDGETED	% BUDGET
----------------------------	---------------------

WATER & SEWER

REVENUE	\$1,269,394	\$3,022,367	42%
EXPENDITURES	1,041,144	\$3,022,367	34%
Change in Net Assets	228,250		
Unrestricted Net Assets-September 30, 2012 (audited)	(2,949,483)		
Loan Proceeds *Subsequent to FY 2012 Close	4,151,234		
Restricted Net Assets-Renewal & Replacement	1,017,776		
Unrestricted Net Assets-February 28, 2013 (Reserves)	\$2,447,777		
Capital Project Expenses to date for Water & Sewer	\$1,954,944	\$1,967,754	99%

MUNICIPAL PARKING

REVENUE	\$348,195	\$814,599	43%
EXPENDITURES	341,228	\$681,661	50%
Change in Net Assets	20,151		
Unrestricted Net Assets-September 30, 2012 (audited)	1,258,325		
Unrestricted Net Assets-February 28, 2013 (Reserves)	\$1,278,476		
Capital Project Expenses to date for Municipal Parking	\$181,800	\$223,000	82%

SOLID WASTE

REVENUE	\$509,857	\$1,232,457	41%
EXPENDITURES	491,666	\$1,232,457	40%
Change in Net Assets	18,192		
Unrestricted Net Assets-September 30, 2012 (audited)	228,437		
Unrestricted Net Assets-February 28, 2013 (Reserves)	\$246,629		

STORMWATER

REVENUE	\$208,438	\$505,000	41%
EXPENDITURES	110,019	\$505,000	22%
Change in Net Assets	98,419		
Unrestricted Net Assets-September 30, 2012 (audited)	104,651		
Restricted Net Assets-Renewal & Replacement	266,140		
Unrestricted Net Assets-February 28, 2013 (Reserves)	\$469,210		
FDEP Grant	0	\$512,500	0%
Capital Project Expenses to date for Storm Water	\$347,765	\$668,781	52%

NOTES:(con't)

E. The unrestricted balance of \$2,447,777 is the result of a subsequent receipt of the State Revolving Loan of \$4,151,234 on October 4, 2012 after the fiscal year closing of September 30, 2012, it also includes \$651,144 for rate stabilization, and \$1,017,776 for renewal and replacement.


Donald G. Nelson, Finance Director


Michael P. Crotty, Town Manager

**ATTACHMENT

Town of Surfside
Fund Balance (Reserves)
February 28, 2013

FUND	9/30/2010	9/30/2011	9/30/2012	2/28/2013
General	\$ 3,163,038	\$ 4,256,315	\$ 5,266,374	\$ 6,616,066
Resort Tax	179,035	184,867	171,496	126,830
Police Forfeiture	71,825	117,889	122,272	97,801
Transportation Surtax	416,500	239,760	122,302	100,363
Capital	4,888,357 *	399,754	132,783	73,121
Water & Sewer	2,108,920	2,692,379	(1,931,707)	2,447,777
Parking	2,043,034	1,385,581	1,258,325	1,278,476
Solid Waste	82,210	207,462	228,437	246,629
Stormwater	194,564	342,240	104,651	469,210
Total	\$ 13,147,483	\$ 9,826,247	\$ 5,474,933	\$ 11,456,273
	<u>4,201,479 *</u>			

\$ 8,946,004

*Committed to Capital Project (Community Center)



**Town of Surfside
Town Commission Meeting
May 15, 2013**

Town Hall Commission Chambers - 9293 Harding Ave, 2nd Fl
Surfside, FL 33154

**POINTS OF LIGHT
After Action Items**

1. Downtown Vision Project: Commissioner Michelle Kligman

Current Status: The Downtown Vision Advisory Committee (DVAC) met on April 22, 2013 to discuss the following:

- *Status of the Parking Structure Feasibility Study.*
- *Downtown Streetscape Master Plan* – endorsed unanimously to move forward to Planning & Zoning on April 25, 2013 and Town Commission on May 15, 2013.
- *Business Improvement District.*
- *Commissioner Heyman's Mom & Pop Grant Program 2013-* 8 businesses were awarded a total of \$20,000 this year.
- *Awnings Ordinance Amendment.*
- *Code Compliance* –Code Compliance Director Joe Damien gave a synopsis of the outcome from the April 17, 2013 Code Compliance Workshop and will be coming back to the Committee for further input on items relating to Downtown.
- *Commercial Vehicular Parking.*
- *Abbott & 94th Street Parking Lots Landscaping* – endorsed moving ahead with plans to seal, restripe, repair and paint walls, and landscaping enhancements.

Meeting Minutes will be provided as part of the Town Commission Agenda for the June 11, 2013 Meeting

2. Water, Sewer and Storm Drainage and Collins Avenue Force Main Projects

Current Status: This project is entering the final stages of completion. Key issues that remain are:

1. Installation of the final lift (layer) asphalt completed in all areas available for paving.
2. Permanent paving markings are being installed in areas after asphalt has set a minimum of 21 days.
3. Resolve issue with the Village of Bal Harbour related to final cost of the joint force main. A meeting was held March 15, 2013 with the Bal Harbour Interim Village Manager. This matter will most likely go to arbitration per the agreement to build the project.

4. Resolve any closure requirements for the old force main with the Village of Bal Harbour and the City of Miami Beach. The decision has been reached to leave the old force main inactive. Valves allow it to be used as an emergency backup.
5. All project funds will be required to complete the expanded scope of work, additive alternates will not be completed as part of this funding.
6. Phase I –III substantial completion punch lists have been completed with concrete work repairs pending (curb/inlet tops/driveways).
7. Drainage and sanitary substantial completion punch lists are in the process of being created.
8. Final paving markings and punch list items will require at least thirty more days.

Staff will coordinate outreach meetings in the next several weeks to detail final closeout issues to residents (including restoration efforts at 93rd and 89th Street pump/station); solicit public input on any unresolved restoration efforts; explain project closeout; and operation/functioning of new systems going forward.

3. Tourist/Resort Tax Audit/Certificate of Use/Local Business Tax Receipt/Short Term Rentals

Current Status:

Resort Tax Audit II: Seven (7) businesses including The Greek Place, Pescecane, Ho Wang, Bal Harbour Juice, Asa-2, Serendipity and Onarga are presently not responding to the Auditors' numerous requests for information. The Finance Director is working with the business to ensure compliance with the Auditors' requests so that the audits could continue. The next Special Master hearing is earmarked for late May, 2013. These businesses may go through the Code Compliance process in time for the next Special Master hearing.

Certificate of Use (CU) /Local Business Tax Receipt (LBTR): Only one business has yet to comply. Staff continues to work with them for compliance. Failure to respond will result in this businesses being brought before Special Master tentatively in late May, 2013. This is the highest level of compliance ever achieved in Surfside history.

Short Term Rentals: Clear direction was not provided to the Administration at the Code Compliance Workshop held on April 17, 2013, but recommendations will be presented to the Town Commission at the June, 2013 Commission meeting.

4. Residential Home Based Businesses

Current Status: At the direction of the Mayor and Town Commission, enforcement of the Local Business Tax Receipt and Certificate of Use provisions was stayed for Home Based Businesses for FY12/13, until such time as code compliance priorities are established. As time permits, the Code

Compliance Division has continued to pursue information available on several internet based databases including the Secretary of State's. At the Code Compliance Workshop held on April 17, 2013, clear direction was not provided to the Administration, but recommendations will be provided at the June, 2013 Commission meeting.

5. Bus Shelters: Commissioner Marta Olchyk

Current Status: The Town Commission approved the purchase of three additional shelters at a cost of \$75,000 which has been reduced to \$64,237 after negotiations. The shelters were ordered on March 27, 2013 and are expected to be delivered by June 10, 2013. Once received the contractors are expected to install the shelters in the designated locations. A legal issue has arisen regarding the bus shelter installations along Collins Avenue. The shelters cannot be installed due to the available area of the FDOT right-of-way and FDOT regulations. The Town Attorney has already begun the necessary steps to acquire the limited easement (approximately one foot) from the abutting property owners. The Commission will receive regular updates.

6. Beach Concessions

Current Status: The lease agreement with the State of Florida and Miami-Dade County was presented to the County Recreation and Cultural Affairs Committee on September 10, 2012 and moved forward to the Board of County Commissioners on October 2, 2012. The lease application and documents are being prepared by Miami-Dade County and will be submitted to the State for approval. Once the State approval is received, Miami-Dade County along with the Town of Surfside, will have 10 months to submit a Beach Management Agreement to the State. This process has been slowed by the County's need to move forward on beach restoration along our entire coastline due to Hurricane Sandy. During this time the County will continue the everyday beach maintenance it is currently providing to the Town of Surfside.

The County was contacted by the Florida Department of Environmental Protection on February 19, 2013 in regard to processing the lease agreement. The Division of State Lands Title and Land Records Section is the first to review the lease and we are waiting on their findings and report. The County is projecting a May, 2013 date to move forward. Updates will be provided as the process moves forward. At this time we have not been provided an update from the County.

7. 95th Street End Project

Current Status: Due to the need to complete the street end project contemporaneously with the 9501 building construction which began construction in mid-May 2012, the Administration has moved forward with the project for one block only using the architectural/engineering firm Bermello Ajamil (BMA) (from the approved rotation). The Town Commission confirmed this

on July 17, 2012 and selected the design “look” on August 15, 2012. The thematic design will be usable for all three blocks of 95th Street should the Town Commission determine to expand the project in the future. Bermello Ajamil has completed the design and submitted the bid package which was advertised April 2, 2013 in the Daily Business Review. The project will be brought to the Town Commission for award during the June, 2013 Town Commission meeting.

Update: May, 2013

Bids were opened on April 19, 2013 and five bids were received. Commission action on the bids will be scheduled for the June, 2013 meeting. Items to be completed prior to the June, 2013 Commission meeting include:

- Meeting with BMA to review bids; discuss “add alternatives”; “deduct alternatives”; services to be provided by BMA going forward based on their service agreement (approved June, 2012) and review of permit requirements due to the CCCL
- Finalizing requirements associated with voluntary proffers from the 9501 Group and Grand Beach Hotel which total \$400,000
- Critical review of bids consistent with dedicated funding
- Prepare schedule and determine appropriate responsibility for contract and construction management
- Prepare financial and final selection options for the Commission’s consideration at the June, 2013 meeting

8. Property Assessed Clean Energy (PACE) - program to retrofit existing residential and commercial buildings for energy efficiency: Mayor Daniel Dietch

Current Status: This program allows existing buildings to be retrofitted for energy efficiency with the cost funded from a loan pool authorized by the State of Florida and funded by Barclay’s Capital. The low interest loans are repaid from a long term assessment on the property. There are no guarantees provided by the Town of Surfside. A presentation was made by Chad Friedman and Steve Alexander regarding the program during the October 9, 2012 Town Commission meeting. Recently, Bay Harbor Islands agreed to join the program. Staff will follow-up and report to the Commission at the June, 2013 Commission meeting.

9. FPL/AT&T/Cable Undergrounding Project: Commissioner Michelle Kligman

Current Status: The Town Commission allocated \$300,000 in the water/sewer/storm drainage project to provide mid-block crossover conduit so that a future undergrounding project would not have to break the pavement. FPL has completed the study of the cost of undergrounding Town-wide and the Town Commission authorized retaining bond counsel and financial advisor to assist with the project during the November 13, 2012 Town Commission meeting. During the December, 2012 Town Commission meeting, Staff was authorized to schedule five televised

public meetings that have been held and a FAQ's was mailed to all addresses in the Town. At the direction of the Town Commission the cost estimate validation process has been contracted to HPF and Associates for \$2750 and preliminary cost estimates have been received and are under review. This firm has done similar work for Golden Beach, Miami Beach Palm/Hibiscus and Sunset Islands underground projects. This Agenda includes a seventh status report on the project which will answer the many questions raised by the Town Commission during the March 12, 2013 meeting when authorization to continue developing the project was granted.

Update: May, 2013

- Correspondence was received from John T. Butler, FPL Assistant General Counsel – Regulatory dated April 26, 2013 (Attachment 1). This correspondence addresses the Town's request to extend the binding cost estimates (BCE) which originally was due to expire on March 26, 2013 but had been extended by FPL to April 26, 2013. FPL states that it cannot extend the existing BCE but it is willing "to refresh it with updated information on material and labor costs, in lieu of preparing a new BCE". A new BCE would be about \$60,000. Refreshing the existing BCE will be \$10,000. A resolution appears on this May, 2013 Commission agenda authorizing the \$10,000 expenditure. If this expenditure is authorized, the Town would have a 180 day window from April 26, 2013 to address/resolve the remaining issues to proceed with undergrounding through the use of the MGRUF Tariff.
- Staff will report to the Commission no later than the June, 2013 Commission meeting of its review cost estimate validation undertaken by HPF and Associates.
- Prior to his retirement, Roger Carlton had discussions with FPL regarding FPL requiring the Town to incur costs associated with changes to FPL's billing system to accommodate the MGRUF Tariff (as this would be the initial MGRUF for FPL). It appears that his efforts were successful and FPL will not pursue requiring the Town to pay costs associated with upgrading FPL's billing software.

(Action Item) (Agenda Item: 5F)

10. FEMA Flood Insurance Status

Current Status: The General Contractor retained to perform the remedial work necessary to correct flood deficiencies at 1220 and 1236 Biscaya Drive, has begun the permitting process. Work is expected to begin the first week of April, 2013.

Meetings with the engineering teams representing the owners of 9578 and 9415 Harding Avenue have continued. Technical Bulletins from FEMA reference material, outlining all the Dry Flood Proofing Certification requirements have been made available to both teams. The engineering package from 9415 Harding Avenue is further along in the process. The initial submittal has already been reviewed

by the Town's Structural Engineer. Approval is contingent on the correction of review commentary and additional information that is required. The comments are currently being addressed by the owners' engineer. The Building Official expects that both properties will have approved Dry Flood Proofing Certifications by the end of April, 2013.

Meanwhile, progress continues with preparations for the Insurance Services Office (ISO) visit. The Building Official continues to work closely with Town staff to develop an outreach program to inform customers and home owners of the importance of proper flood plain management. The information is still on schedule to be posted on the Town's website during the month of April, 2013.

Update: May, 2013

On April 19, 2013 the Town of Surfside Building Official was part of a conference call with Prasad, the FEMA representative, and the team of engineers representing the CVS property located at 9564 Harding Avenue. The topic of discussion was the requirements for the dry flood-proofing certification. The CVS engineering team is taking the information gathered from the conference call and evaluating possible solution scenarios. The Building Official pulled the original plans of the building found in the public record and made them available to the project engineers to assist them in their endeavors.

The Building Department completed the coordination of remedial work required to bring the properties located at 1220 and 1236 Biscaya Drive, into compliance with the FEMA regulation. The work was permitted, inspected by Staff and approved. The properties were then re-surveyed and new Elevation Certificates were generated that reflected all the required corrections. These Elevation Certificates along with the one for the property located 1355 Biscaya Drive were forwarded to the FEMA office for review and compliance on April 26, 2013.

On April 24, 2013 the Building Official, Linda Miller, Interim Town Attorney and legal consultant Ernie Abbott participated in a conference call with FEMA to discuss the remaining outstanding items in the Town's Community Assistance Visit (CAV) Report. As part of the discussion, Prasad and Susan Wilson (FEMA), agreed to speak with their supervisor in regard to bringing closure to the CAV report and allowing the Town of Surfside to move forward with the next phase of the process to reinstate the Town in the CRS discount program. As a follow-up to this discussion, the Building Official spoke with Prasad on May 6, 2013. Prasad indicated that he had not yet completed his review of the Elevation Certificates sent to him on April 26, 2013, but he expected to do so before the end of the week ending May 10, 2013.

Preparation continues for the Insurance Services Office (ISO) visit. The Building Official continues to work closely with Town staff to develop an outreach program to inform customers and home owners of the importance of proper flood plain management. Recently, Darlene Martinat, Town's building clerk, completed a FEMA training course in Maryland and is in pursuit of her Certified Floodplain Manager Certification.

11. Options to Mitigate Inadequate Number of Parking Spaces at Multi-family Establishments Along the Collins Avenue Corridor: Mayor Daniel Dietch

Current Status: It has been determined by the Building Official that the Spiaggia Condominium is sixteen (16) usable spaces short from its required number of spaces due to the design of the parking facility which makes certain spaces unusable. The Building Official and the Town Attorney's office have drafted an agreement with the Spiaggia Condominium Board to resolve the situation which will be presented to the Town Commission in June, 2013.

12. Dog Park: Mayor Daniel Dietch

Current Status: A Memorandum of Understanding with the newly formed non-profit and the Town is being presented to the Town Commission at the May 15, 2013 meeting. As the proposed site is at an existing pump station, which is being reconstructed as part of the final phase of the water/sewer/storm drainage project, the revised opening is now anticipated, barring any unforeseen circumstances, to be early June, 2013. The Town Commission approved (3:1) the \$8,000 savings from the Bus Shelter acquisition be added to the budgeted \$10,000 for the Dog Park at the April 9, 2013 meeting. Therefore the total budget for the park is not to exceed \$18,000. A Resolution containing a Memorandum of Understanding and a report from Staff on dog park construction is included in the May 15, 2013 Commission agenda.

(Agenda Item: 5C)

13. Turtle Sculptures - Art in Public Places

Current Status: During the March 12, 2013 Town Commission meeting, Staff were directed to research all artist stipends and pay provable disputes. To date nine (9) artists have received payment, totaling \$2,250 being paid from Tourist Bureau Resort Tax funding, after submitting signed indemnifications. The Town has yet to hear back from two (2) of the artists despite numerous attempts to reach them. The remaining five (5) artists were paid in full, or are satisfied with their agreement honored, by Prince Media Development.

We continue to monitor the condition of the sculptures and repair any damage. From the standpoint of tourism development and creating an awareness of art, the project continues to be a huge success.

14. FDOT Surfside Repaving

Current Status: The Collins/Harding Avenue repaving project has been completed by FDOT. This leaves the Kane Concourse (96th Street) from the Surfside Town limits to Collins Avenue and Collins Avenue in Bal Harbour from 97th Street to the Haulover bridge projects to be completed. The stamped asphalt crosswalks on Harding and Collins Avenues were finished in December, 2012. Staff authorized an additional stamped asphalt crosswalk for the 93rd Street/Harding Avenue intersection to tie together the pedestrian path from the single family neighborhood to the Community Center at a cost of \$14,000. This cost will be covered in the final change order for the water/sewer/storm drainage project. The Public Works Director will authorize the new crosswalks to be installed prior to the Summer season.

15. Parking Structure Feasibility Study

Current Status: The completed study was issued to the DVAC Parking Subcommittee (which includes members appointed by the Town Commission and the Town Manager) on March 8, 2013 for the March 20, 2013 meeting. Rich and Associates and C3TS/Stantec presented to the committee and public in attendance and the meeting was broadcast over Channel 77. After nearly three hours of discussion, the committee unanimously voted in favor of moving the study on to the Planning and Zoning Board (April 3, 2013) and Town Commission (April 9, 2013). The unadopted minutes of the Parking Subcommittee are included in the Town Commission April 9, 2013 agenda.

Update: May, 2013

At the April 9, 2013 meeting, the Commission acknowledged receipt of the March, 2013 Parking Structure Feasibility Study. The Commission tasked Staff to develop a public outreach and educational process to move the Study forward in order to ensure all stakeholders have been informed and involved prior to the Commission proceeding with its action on the Feasibility Study. The June, 2013 meeting will provide Staff's initial recommendation on this outreach/educational process.

16. Bal Harbour Shops Expansion Status Report

Current Status: Press coverage and discussions with Stanley Whitman confirm that Bal Harbour Shops has completed negotiations with the Church by the Sea. The members of the Church approved the agreement on June 3, 2012.

In a meeting on June 27, 2012 with Gus Pego, FDOT District Secretary, we were disturbed to learn that FDOT's role in reviewing traffic issues related to such large scale projects has been virtually eliminated by the Legislature. This will make our negotiations with the Whitmans more

difficult and greatly supports the decision to have a traffic study completed by CGA as a tool to support these negotiations. The study was completed during November, 2012, appeared on the December 2012 Agenda for the possible scheduling of a workshop and was deferred to the January, 2013 Agenda. The study was again deferred by the Town Commission and is included on the April 9, 2013 Town Commission Agenda at 8:00 pm Time Certain. One area of particular concern is that an expanded number of commercial vehicles will serve the project and how those trucks will impact the 96th Street and Byron Avenue intersection. There is also a new development in that the Whitman family has announced that they will partner with Swire Properties to build a new very high end retail center in the new Brickell City Center project at SW 7/8th Streets and Miami Avenue. They may also build a similar project in the expanded Miami Beach Convention Center redevelopment. The implication of this change for the Bal Harbour Shops expansion schedule is not known. Town Manager Designee Michael Crotty will be fully briefed on this project.

17. North Force Main/Building Better Communities Bond Program

Current Status: There is both progress and pushback on this effort to obtain funding for this critically important second sewage disposal alternative for Surfside, Bal Harbour and Bay Harbor Islands. Miami-Dade County WASD has retained the firm of Hazen and Sawyer to study the situation at the North Dade Regional Plant and the 163rd Street force main. This is recognition that something needs to be done that will resolve the issue which we keep top of their minds. The negatives are that specific projects which would facilitate acceptance of our sewage are not listed in the draft settlement agreement with EPA and FDEP. Surfside was represented in a community meeting held by WASD September 27, 2012 and our concerns were placed on the record. Roger Carlton, Donald Nelson and Mayor Daniel Dietch also attended a meeting held at WASD on October 25, 2012 in which the draft settlement agreement was further discussed. A new resolution was approved by the Board of County Commissioners that gave specific direction to the County Administration to consider innovative municipal projects as they prioritized the Building Better Communities bond funding. This amendment was written by your Town Manager and supported by County Commissioner Sally Heyman. Finally, the risks inherent in the Virginia Key plant (where our sewage is treated) and the new force main under Government Cut have been documented in the Miami Herald.

In a recent conversation with Doug Yoder, Assistant WASD Director who is handling the negotiations with EPA and DEP, it was learned that an environmental group has filed a lawsuit which questions the advisability of upgrading shoreline sewer plants that may go underwater if global warming raises sea level. Therefore WASD is looking at the alternative of an inland plant at a higher elevation. There is a long way to go on this issue.

Town Manager Designee Michael Crotty will be fully briefed on the project and will be introduced to the appropriate decision makers.

Update: May, 2013

Prior to retiring, Roger Carlton provided a general update on the complexities of this project. Also, he provided extensive files on this project and general information on the Miami-Dade County WASD. Further, he identified the key individuals from the County who are involved.

18. Best Western (Chateau) Project

Current Status: The Best Western property sale closed on March 27, 2012 in the amount of \$50 million. The Design Review Group (first step of the review process) met on August 2, 2012. A second DRG meeting was held on September 11, 2012 to complete this stage of the review. The Development Impact Committee met three times to review the project to negotiate certain items contained in the Resolution which were approved unanimously by the Planning and Zoning Board/Design Review Board on December 4, 2012. The Town Commission approved the Resolution in a 4 to 0 vote during the Special Meeting on January 24, 2013. Staff took the position that the nearly \$100,000 pass through costs for outside legal counsel and Town consultants be reimbursed before the Resolution was filed with the Clerk of the Court. The applicant posted the entire \$100,000 (\$50,000 in escrow) with the Town and reserved the right to review all the costs before the final \$50,000 is released. The Applicant requested a reduction of \$22,925 and the Town Manager negotiated that request to \$8500. Special counsels Bill Bloom of Holland and Knight and Miriam Maer have been requested to reduce their compensation by \$4250 each respectively, so that the Town does not have to absorb the cost. Bill Bloom reduced his fee by 50 percent of the Town Manager's request and that offer has been accepted. Therefore Holland and Knight's bill will be paid less the settlement. Miriam Maer's remaining bill is still in negotiation at the time the Points of Light for April, 2013 were written.

Update: May, 2013

Prior to his retirement, the retiring Town Manager updated the Town Manager Designee regarding the history of the project and the unresolved legal billings. The previously prepared approved check for services by Ms. Maer for general Town legal fees (non-Chateau related) has been sent. A follow-up discussion will be held with Ms. Maer regarding the remaining unresolved legal fee issue.

19. Island Community Initiative Automatic License Plate Reader Project (ALPR)

Current Status: The Island Community Initiative ALPR Project was originally planned as a new crime prevention program involving the Bal Harbour, Bay Harbor Islands, Golden Beach, Sunny Isles Beach, and Surfside Police Departments. Dispatchers and police officers in all of the communities would have been alerted automatically at police stations and on laptops in real time to stolen cars, BOLOs, Amber Alerts, Silver Alerts, and hot lists. The project would also provide inter-agency sharing of investigative intelligence. The cost to Surfside would be \$100,000 to become a participant

in the project. In the original plan, Surfside was slated to receive eight ALPR cameras to secure the south end of the five communities and to share a server.

The project has become complicated with issues including verifying vendor capabilities, retention of records, FDOT and Miami-Dade County right of way use approvals. Golden Beach moved ahead with a vendor on its own and began the installation of ALPR's and surveillance cameras. Sunny Isles Beach approved a different vendor at its December 2012 Commission meeting. Bay Harbor Islands is expected to piggy back on the Golden Beach contract. Bal Harbour is on hold at this time. Due to the complications, four of the five Towns have or will move ahead with their own ALPR systems.

Chief Allen has met with several vendors in January, 2013 for review of their proposals. Surfside will be able to piggy back off either the Golden Beach or the Sunny Isles Beach contracts. On January 10 and 31, 2013, Police Department staff met with Iron Sky, the vendor who was awarded the contract with Sunny Isles Beach. In order to secure the perimeter of the Town, the number of ALPR's will double and we will need our own server. The original cost was \$100,000 approved from forfeiture funds. The new cost is approximately \$250,000 for 21 license plate readers to cover the perimeter of the Town. To add two security cameras to the project and integrate the new cameras with the existing 23 Town cameras the cost will be another \$100,000. Based on the new cost, the project could be funded with a three year lease for \$123,000 per year. There are insufficient forfeiture funds to support this cost. In March 2013, Staff learned that our red light camera vendor, ATS, has developed an ALPR capability which will be less costly. In April 2013, ATS advised that their project is on hold due to legal issues with FDOT on approval to place the license plate readers on ATS red light camera poles that are on State property.

20. Sidewalk Ordinance Implementation

Current Status: The Town is currently working on the roll out of the application process to the downtown businesses community with the goal of compliance by the October 1, 2013 Certificate of Use and Local Business Tax Receipt renewal annual deadline. All three requirements will be streamlined into a "one-stop" application process. Compliance is a challenge and appropriate actions are being pursued per the Code. An amended lease agreement with FDOT, per their request, will be presented to the Town Commission at the June, 2013 meeting.

21. Imaging Town Documents

Current Status: Since the implementation of dedicated daily time given by the full time staff of the Building Department at the end of each business day, productivity in the scanning has increased. We have managed to organize all the files in the file room properly grouping them by address. Documents within each file are currently being organized chronologically and categorized by permit type. This methodology is allowing for more organization and consistency in terms of scanning. A log is being

created that lists all the addresses in the jurisdiction of the Town. This log will allow for an accurate accountability and tracking of the files that have been scanned and that remain to be completed. As an alternative to speed the process, the Building Official is reviewing the potential to outsource a portion of the scanning. As of March 31, 2013, we have estimated that approximately 32 percent of the scanning has been completed. This number is substantially less than was represented by the previous Building Official. Procedures put in place by Ed Rojas will catch us up to previously reported percentage completion numbers over the next six months. This project will be a priority project for the new building official.

22. Five Year Tourism Strategic Plan

Current Status: The consultants are on track with the timeline, analysis of existing tourism and marketing expenditures, reviewing the existing market research, reviewing current Resort Tax projections, reviewing the existing Resort Tax Ordinance, conducting an e-survey of area business and downtown property owners meeting with Town Commissioners individually and the identification of target markets. Progress in detail is reported to the TEDAC Board monthly.

23. The Shul Project

Current Status: An application in sufficient form to start the Design Review Group process was received and the first meeting was held on August 22, 2012. A second Design Review Group meeting was held on February 13, 2013 and a third was held on March 28, 2013. A meeting took place with Stanley Price representing the Shul, former Town Manager Roger Carlton and Interim Town Attorney Linda Miller on March 1, 2013 to further refine the voluntary proffers including an alternative to a Payment In Lieu of Taxes (PILOT). Once the site plan comments have been resolved, the project will then be reviewed by the Development Impact Committee (DIC) and then on to the Planning and Zoning Board and Town Commission. Projected dates for these various meetings will be determined once the site plan issues are resolved.

(Agenda Item: 9G)

24. Electric Car Charging Station: Mayor Daniel Dietch

Current Status: A Resolution and Agreement with the company Car Charging, based on agreements with the City of Miami Beach and Bay Harbor Islands, for the installation and operation of electric car charging stations is earmarked for the June, 2013 Town Commission meeting.

25. Five Year Parks and Recreation Capital Plan

Current Status: The Surf Club developer agreed to provide \$400,000 to this project and the Chateau developer has agreed to add \$200,000 for a total of \$600,000. During the Planning and Zoning Hearing meeting on the Surf Club held September 25, 2012, the condition was modified to allow the contribution to be used for any Parks and Recreation capital project subject to a comprehensive Parks and Recreation infrastructure plan. With \$600,000 in voluntary proffers to the Parks and Recreational capital budget, an initial meeting with the Parks and Recreation Committee to develop a Capital Plan was held on December 17, 2012. During the December 17, 2012 Parks and Recreation Committee Meeting the Second Floor of the Community Center was listed by the Committee as the top priority for the Parks and Recreation Infrastructure Plan. A more comprehensive plan to detail cost and time frame for the proposed Parks and Recreation projects was presented to the Parks and Recreation Committee during their February 11, 2013 meeting and updated during then March 18, 2013 meeting. The next step is to complete the Plan with project descriptions, schedule and refine estimated costs and funding sources. The Plan will be reviewed during the budget process for FY 13/14.

26. Pool Tot Lot Repairs - Community Center

Current Status: Funtraptions, the original contractor for the Community Center water playground, is no longer in business and not available for any warranty work or repairs. At the completion of the project, a 10 percent retainer fee was held back by the Town until full satisfaction was met with the water play structure. The retainer (\$22,600) will be utilized to cover the cost of repairs of warranty items that need to be addressed. Water Works has been on site at various times since January 28, 2013 reviewing the water playground operations and reviewing the water playground pool blue prints. Due to the complexity of the work to be performed, Staff is working with Water Works to come up with a realistic time frame for the completion of work and cost associated with the project. In order to stay within the original funds set aside for this project it may be necessary to fund the work in stages. Water Works has provided Staff with an anticipated start date of May 13, 2013 and has provided an itemized list of work to be completed on a priority level. The water playground continues to remain open. Progress reports on the work being performed will be updated through the Points of Light

(Action Item) (Agenda Item: 3J)

27. Bullying Program: Commissioner Michelle Kligman

Current Status: The bullying program was held on January 16, 2013 in the Community Center Multipurpose Room. The event consisted of an informative session that included an expert panel in the control of bullying with a question and answer session and a showing of the movie *Bully*. The event

was a great success with approximately 100 people in attendance. Commissioner Kligman has proposed a robust program that incorporates surrounding communities and the School Board to further this program. A resolution defining this effort was approved by the Town Commission during the February 12, 2013 Commission Meeting. The resolution along with an outline for implementing the program was introduced to the Parks and Recreation Committee during their March 18, 2013 meeting. The Parks and Recreation Committee first request was to possibly have the incoming summer camp staff trained in an Anti-Bullying program. Staff at this time is working with Julio Avel with the Non-Violence Project to develop an Anti-Bully Training program for the Parks and Recreation staff. At this time the first proposal from Mr. Avel has come in between \$14,000 - \$22,500 for full staff training. Due to the initial cost of the first proposal, Staff is looking into other alternatives for training to reduce cost and the budget impact. This will be an ongoing process and updates will be provided each month in the Points of Light.

28. Seawall Project

Current Status: The seawall design project was awarded to Calvin, Giordano & Associates with the commitment that the grant application cost would not be paid until a grant in the amount of not less than \$250,000 was made available. The design work is finalized. As a result of Hurricane Sandy, the seawall at Carlyle and 88th Street is near collapse, endangering the Town's \$250,000 investment in the new storm water pump station. A recommendation to declare the project an emergency was made to the Town Commission during the November 13, 2012 meeting. Based on authority granted at the November 13, 2012 Town Commission meeting, Staff applied for the emergency permit from Miami-Dade County and received budgetary quotes from Palm Beach Marine (\$60,000), BK Marine (\$88,000) and Shoreline Foundation, Inc. (\$92,000). We have now received the FDEP approval, United States Army Corps of Engineers and the preliminary approval from Miami-Dade County, which was a prerequisite to obtain the Surfside Building Permit. As soon as these are obtained we will be awarded our final Miami-Dade County Permit. After receiving comments from all permitting agencies the plans will be revised, if necessary, and resubmitted to the three qualified marine contractors listed above. The updated bids received will be evaluated and the contractor which provides the best value for the Town will be awarded. A Notice to Proceed will be issued immediately thereafter. The remaining seawall repairs were submitted in the grant application package to FIND for grant reimbursement of up to 50% of the construction costs. FIND has scheduled the project presentations for late June 2013 with final grant approvals being made in July, 2013 and funds become available October 1, 2013.

Update: May, 2013

- **Legislative Water Project Funding:** The Town's lobbyist, Fausto Gomez, successfully worked toward the inclusion of funding in the FY 13/14 State Budget for Surfside's seawall repairs. The required paperwork was prepared by CGA and submitted to the Governor (Office of Policy and Budget, Environmental Unit). This funding has been

included in the State budget through Senate Bill 1500. This funding requires Governor's approval as part of approving the State Budget.

29. Town-wide Traffic Study Public Outreach

April, 2013 Point of Light Status: This project reviews traffic flows, traffic calming devices and provides a model to simulate future traffic impacts. The study was completed in November, 2012 and has been deferred three times by the Town Commission and once by the Town Manager. The study was deferred from the March 12, 2013 Town Commission meeting to 8:00 pm time certain during the April 9, 2013 Town Commission meeting.

Update: May, 2013

Action Item: This item is Item 9H on the May 15, 2013 Commission agenda

Background: Calvin, Giordano and Associates, Inc. (CGA) completed a Town-wide Traffic Study in 2012 which included several recommendations for transportation infrastructure improvements. At the April 9, 2013 Town Commission meeting, the Commission directed to move forward with a public outreach initiative to obtain input from Town residents and stakeholders regarding the proposed improvements identified in the traffic study.

Public Outreach Proposal: The public outreach is not an implementation of the proposed improvements contained within the traffic study, but rather a chance for residents to become knowledgeable and weigh in on the study's findings. The public outreach meeting will help gauge whether there is interest in moving forward to pursue some or all of the recommendations contained within the traffic study. The major emphasis of the public outreach will be on the traffic and "calming" issues in the residential areas. However, a general overview of the additional components of the study (signal timing improvements and monitoring of future traffic patterns/conditions utilizing VISSIM software) will be presented.

Approach: Staff working with the consultants (CGA), who prepared the traffic study, will hold up to two televised public outreach meetings. CGA will prepare presentation materials and graphics to assist in the presentation. The presentation will include, in addition to general overview discussed above:

1. What is "traffic calming" and how can it benefit the Town and specific residential areas
2. Present study findings on existing and proposed traffic calming locations
3. Present study findings on speed analysis in residential areas

4. Present issues/options identified by the Town Commission at its April 9, 2013 meeting including:
 - a. Full or partial closing of Byron Ave at 88th Street
 - b. Closure of 90th and 92nd Streets at Harding Avenue
 - c. Installation of a pedestrian crossing at 96th Street
 - d. Review and discuss previous decision to remove stop signs/stripping along 90th Street
5. Explain process involved with implementing traffic calming including Miami-Dade regulations; residents approval and the possibility of establishing more stringent speed and traffic calming controls if improvements are funded with local revenues
6. Solicit public feedback/input on report and calming options. Attendees will be able to provide input using real-time hand held voting devices

- The consultant will prepare and present to the Commission a detailed summary of the public outreach effort
- Date of First Public Meeting: Establish date after the first week in June, 2013 in order to include information in the June edition of the Gazette
- Public Notification: Town website; June Gazette; news release for inclusion in the Miami Herald Neighbors; use of Smart Board in various locations throughout residential neighborhoods and Channel 77 announcement

Budget Impact: The consultant's proposal for the public outreach effort was \$7500 which included attending one public meeting. Through discussion with Staff, the consultant agrees to an additional public outreach meeting and to process the Town's request through the appropriate agencies for the timing changes to the traffic signals at 96th and Harding and 96th and Collins as per the traffic study.

(Note: While the timing change of the signal at 96th and Harding is being reviewed, FDOT will be asked by Staff to study the possible re-establishment of the crosswalk that was previously eliminated and to assess the reclassification of residential streets).

Requested Action: Commission will determine if the above public outreach effort achieves the objective of the Commission for receiving public feedback and provide direction regarding establishing date of first outreach meeting.

(Action Item) (Agenda Item: 9H)

30. Federal Road Designation Removal in Single Family Neighborhood

Current Status: A meeting was held with the FDOT District Engineer on September 13, 2012 to discuss the need to downgrade the single family streets to the lowest federal classification. The 10 year FDOT update is underway and we have provided necessary information to support the change. The downgrade has been recommended by FDOT and the designation should be changed by the Federal DOT in late 2013. This is very important to ensure that our single family streets maintain their current residential status. This is also important should the Town Commission determine to close Byron Avenue at 88th Street in the future. Town Manager will coordinate a meeting with FDOT and report back to the Commission.

31. Legislative Priorities

Current Status: A meeting with the Town Manager and Fausto Gomez took place on January 8, 2013 to discuss legislative priorities. A subsequent meeting was held January 10, 2013 with State Representative Joe Gibbons and Mayor Dietch to discuss how the Representative may be helpful. The Town Commission approved the legislative priorities during the January 15, 2013 meeting with an amendment and Fausto Gomez is working the issues in Tallahassee. The session began March 4, 2013 and we will remain in constant contact with Fausto Gomez. Two very significant items include a raid by FDOT on 50 percent of our on street meter revenues and changes to pension regulations which is both bad (lower the 7.5 percent earnings assumption) and good (allows us to use Section 185 money to supplement the basic pension). Michael Crotty was introduced to Fausto Gomez on March 29, 2013.

Update: May, 2013

The Legislative Session ended on May 3, 2013. Fausto Gomez will be scheduled to update the Commission on the session pertaining to new legislation affecting municipalities and the status of the Town's legislative priorities adopted on January 15, 2013. Also see Point of Light #28 – Seawall Project which currently has an allocation contained in the Legislature approved budget.

32. Credit Card Accepting Single Space Meters

Current Status: During the September 19, 2012 Town Commission meeting, a 90 day experiment to install credit card accepting single meters was approved with IPS Inc. The thirty single space locations were identified and installation for the project was completed on November 20, 2012. An informational flyer was created and was advertised in the November, 2012 edition of the Gazette. A preliminary one month comparison of the revenue was conducted. The original thirty meters collected \$572 during the thirty day period before the new meters were installed. The credit card accepting meters collected \$1300 during the immediate thirty day period after installation. The new meters collected \$1900 during the second thirty day period. The final thirty day period of the ninety day experiment was completed on February 20, 2013 and showed a similar increase. IPS Inc. has also agreed to upgrade the meters to a newer model which has a 100% larger display screen; a longer

battery life of 3-5 years; built-in integration with Pay-by-Cell, IPS Sensor and IPS Smart Collection System technologies; and the capability to display advertising and public alerts at no additional cost. The recommendation to purchase the new meters based on convenience and increased revenue was approved during the March 12, 2013 Town Commission meeting and the purchase order has been signed. The new meters were received on April 30, 2013 and are being installed. Item completed.

33. Solar Panels and TV Antennas (Dishes)

Current Status: Solar panels are becoming less expensive to install and more cost effective as technology advances. TV antennas (dishes) are proliferating where some buildings have as many as ten facing main streets causing visual clutter and excess wiring. Both devices are a part of urban life, however, guidelines need to be developed. Therefore this matter was sent to the Planning and Zoning /Design Review Board for discussion during their January 31, 2013 meeting. The Board determined to take up the issues and Staff is preparing appropriate ordinances for the Board's review in June, 2013.

34. Regulation of Power Grass Blowers and Disposal of Yard Waste

Current Status: With the completion of our expanded and upgraded storm sewer system, the need to avoid landscapers blowing grass and leaves into the storm sewer has become apparent. In some cases we have already had to clean new storm sewers which became clogged with yard refuse. We have also found residential garbage and large piles of tree cuttings in the gutters which impedes the flow of water, blocks driving lanes and creates a visual mess throughout Town. Staff and the Interim Town Attorney are developing an ordinance which will better regulate the stacking of yard cuttings in the gutters for Town Commission consideration in late Spring 2013. There is already a leaf blower prohibition ordinance on the books. This was not addressed in any detail during the Code Compliance Workshop on April 17, 2013, but recommendations will be forthcoming at the June 2013 Commission meeting.

35. Starbucks

Current Status: Starbucks is coming to the Condotti Men's Clothing Store location. It has been approved by the Planning and Zoning Board during their January 31, 2013 meeting. Thank you to Sergio Castaneda for his long service to Surfside and welcome to our first national tenant in a very long time. The Starbucks plans were submitted for review on April 17, 2013. Mechanical, electrical, and plumbing disciplines have been approved. Structural and building sections had commentary that required a rework of the plans. The information was forwarded to the project representative. The comments are currently being addressed by the design team.

36. Beach Erosion

Current Status: Hurricane Sandy and very high full moon tides and wind have caused significant erosion on our beach. Due to the storm, Surfside lost up to 75 feet of beach (with nearly 25 feet returning by natural drift of sand) and was one of the least damaged segments of beach countywide. Staff has begun work on many fronts to ensure that various agencies with authority and funding initiate a renourishment program. A meeting was held with Miami Dade County staff on December 20, 2012 and the County has accepted responsibility for coordinating the renourishment. Town Staff will be kept updated as Miami-Dade County moves forward with any renourishment project. Congresswoman Debbie Wasserman Shultz scheduled a meeting April 4, 2013 on this project and Town Manager Designee Michael Crotty and Parks and Recreation Director Tim Milian attended. The Town Commission will be kept aware monthly of progress with this matter.

Update: May, 2013

Congresswoman Debbie Wasserman Shultz sponsored a Coastal Community Roundtable on April 4, 2013. Governmental representatives from Miami-Dade and Broward Counties heard presentations from U.S. Army Corps of Engineers in Jacksonville, Florida. Of local interest, Corps representatives presented an overview of the sand renourishment project scheduled in Bal Harbour (Contract G: August, 2013 Award and start date at the conclusion of Sea Turtle Season). After this project, compatible sand sources for renourishment will be depleted.

The Corps will begin an outreach through the summer pertaining to their planned sand source study (Contract J: tentative date August, 2014). The study will attempt to locate compatible sand (non-County borrow area) for future projects.

Brief discussions were held on the long delayed Bypass project at Port Everglades and the legal issues and challenges associated with the use of foreign sand (i.e. Bahamas) for domestic projects.

No later than August, 2013, a presentation on beach renourishment and the sand source study will be made to the Commission. Brief initial contact has been made with various professionals in this field (Jackie Keiser, U.S. Army Corps of Engineers; Brian Flynn, Special Projects Administrator, Miami-Dade County DERM (responsible for sand/beach renourishment); and Becky Hope, Port Everglades and Surfside resident). They have all agreed to make themselves available to Town Staff to prepare a more in-depth presentation to the Commission.

37. Code Compliance Priorities Workshop

Current Status: A workshop was held on April 17, 2013 with the Mayor and Town Commission. Staff provided a presentation that included historical information on the prior Ad-Hoc Code Enforcement Committee's recommendations, and on commonly occurring or reported violations

in the single-family, multi-family residential districts, and the business district. Recommendations were provided on priorities in each district and discussion was held, including public comments. Each elected official was provided a priority worksheet to be submitted to Staff in order to assist in establishing priority and policy direction for code enforcement. Staff will analyze the information submitted by the Commission and provide a report with recommendations at the June, 2013 Commission meeting.

38. Charter Amendment Schedule

Current Status: The Town Commission during the February 12, 2013 meeting determined to initiate the Charter review process no later than August, 2013. This means that the actual review must begin in November, 2013 thereby requiring that appointments be made, the process and schedule be set and a decision on legal advice be made in the period between August and November, 2013.

39. Forty Year Building Certification - Collins and Harding Avenues

Current Status: As of April 30, 2013, notices have continued to be sent to property Owners and/or Condominium Associations. In an effort to educate and inform the community, we have posted information regarding the Forty Year Certification regulations, procedures and required documentation on the Town website. A log is being kept that lists all the properties that have reached the forty year mark and have been sent notices. The log will allow the Building Department to track and monitor progress. A total of fifty-seven buildings on Collins Avenue have been identified as required to obtain the Forty Year Certification, of those 4 are vacant, 1 has been demolished, 2 buildings have completed the process and 6 have requested an extension. The balance of forty-six are still being researched and reviewed for compliance.

40. Sidewalk Staining to Match Colors

Current Status: The project is almost complete with the only item being touch-up work on three driveway entrances along Collins Avenue. The three that remain are located at north end of town between 95th and 96th on Collins Avenue on both sides. The project is tentatively scheduled to be completed by mid-May with work being conducted in the evening, pending weather conditions. Due to heavy traffic on Collins Avenue, the Surfside Police Department will assist with the road closure during the work.

41. Mt. Sinai Bus Route: Commissioner Michelle Kligman

Current Status: Staff is reviewing options, including the possibility of a partnership with Jewish Community Services (JCS), to augment the existing service provided by Sunny Isles. The Town Manager and Tourism Director are scheduled to meet with the JCS team on May 30, 2013 to discuss

transportation and financial options. Information obtained at the meeting with JCS will assist as information is prepared for the FY 13/14 budget.

42. Plastic Bag Ban

Current Status: The Town Manager and Interim Town Attorney are reviewing ordinances from other communities for this initiative proposed by Peter Glynn during the January 15, 2013 Town Commission meeting Good and Welfare discussion. This is not viewed as a high priority and progress will be made as Staff resources allow.

43. Report on Tracking Development Orders

Current Status: Staff is working with Vice Mayor Michael Karukin to develop a system. An initial flow chart identifying the components of a tracking/project management system for a specific development order will be completed by May 15, 2013. Project management tracking will be an integral part of obtaining software for project tracking, departmental interfacing/sharing of critical information (i.e. Code Department and Building Department) and overall management of special/development projects and asset management.

44. Discussion of Joint Park with City of Miami Beach

Current Status: Contact will be made with the newly appointed Miami Beach City Manager Jimmy Morales for this project located south of the Tennis Center and discussions have begun with our Parks and Recreation Committee. A coalition of tennis advocates is beginning to form in the same manner as the Dog Park and Community Garden. Rumor has it that the Deezer Hotel (Howard Johnson Hotel) has been sold at the corner of 87th Terrace and Collins Avenue. If this is the case, the Town should watch this situation closely as to the impact on Surfside. Staff will be preparing to meet with representatives from Miami Beach on a possible joint venture.

45. Update Emergency Operational Plan (EOP)

Current Status: Town Staff held an initial planning meeting to update the Town's Emergency Operation Plan (EOP). The Department Heads were assigned to their areas of responsibility. Department Heads are required to ensure that their personnel have the mandated National Incident Management System (NIMS) training. Emergency plan information was collected and provided to the consultant to add to the update. Below is a summary of the updates which were incorporated into the new EOP and that are in compliance with the National Incident Management System and consistent with the County's Comprehensive Emergency Management Plan.

- **NIMS Compliance:** The National Incident Management System based position assignments were not clearly identified nor were the associated training requirements. The Plan develops position specific assignment tables which includes positions names and the associated federally required training.
- **Organizational Assignments:** The Plan now incorporates a series of tables and charts which detail roles and responsibilities for both a minor disaster affecting the Town as well as a catastrophic level incident.
- **EOC Operating Procedures:** The Plan includes a detailed set of procedures which illustrate how the Emergency Operations Center will function once activated. It incorporates room layout, technology requirements, activation protocols, operational guidance, and forms to use during the activation.
- **Miami-Dade County Comprehensive Emergency Management Plan Compliance:** The Plan incorporated enhanced policies and tools from the County CEMP (2008) including updated County evacuation sites, Snapshot Rapid Impact Assessment process, Miami-Dade Alert Tool, Disaster Assistance Centers, refuges of last resort, and Web EOC.
- **Recovery Components:** The Plan enhanced the Recovery Section to include damage assessment process details/forms/checklists, habitability assessment, disaster temporary housing, and the new County Post-Disaster Redevelopment Plan guidance.
- **Private Sector Role:** The Plan also incorporated roles for the private sector and local procedures for coordination with organizations such as the Chambers of Commerce and Tourism.
- **Format Enhancement and Reorganization:** The entire Plan was reformatted for easier viewing including placement of the hazard vulnerability analysis and the preparedness sections in the rear of the document.

Town Staff was briefed on the updated Plan on May 3, 2013. The updated Plan will be presented to the Town Commission during the May 15, 2013 Town Commission meeting.

(Action item) (Agenda Item: 3G)

46. Scholarship Program: Commissioner Marta Olchyk

Current Status: Commissioner Olchyk has volunteered to spearhead the selection of the scholarship program committee and selecting two scholarship award winners to the Parks and Recreation Committee during the February 11, 2013 meeting. The Parks and Recreation Committee accepted the responsibility of reviewing and determining two overall winners of \$1,000 dollars each. The number of scholarships and the amount was approved by the Town Commission during the February 12, 2013 Town Commission Meeting. The Parks and Recreation Committee requested that the program be advertised by the Town on the website, Gazette and at all Town facilities and sources. This advertising process has been completed. The application deadline was April 26, 2013. The Parks and Recreation Committee on April 29, 2013 reviewed the one and only application submitted by the deadline. The

applicant met all the requirements requested in the application process and the Committee voted to award Gabriel Coto the \$1,000 Higher Education Scholarship. Gabriel will be awarded the check and recognized at the June, 2013 Commission meeting.

47. Street Signs Replacement

Current Status: This item has been deferred until the final costs of the water/sewer/storm drainage project are known. It does not appear that enough funds will be available for this project. A final report will be provided to the Commission upon closeout of the project.

48. Collins Avenue Sidewalk Utility Box Repairs: Commissioner Marta Olchyk

Current Status: All of the trip hazards have been taken care of with the exception of two (2) FPL boxes both located directly in front of the Surf Club on 90th and Collins Avenue. We have been in communication with FPL to make the necessary repairs. In the interim, we have placed secured barricades to prevent removal until FPL corrects the trip hazards. As this is an ongoing issue, a representative from the Public Works Department will walk through the Town at least once a week to ensure there are no additional hazards.

49. Mid-Block Access to Abbott Lot

Current Status: The Town Manager and Duncan Tavares, met with Donald Kahn on May 8, 2013 to discuss in detail the options going forward. At the April, 2013 Planning and Zoning Board meeting, this option was briefly presented to the Board. This item will be on the Planning Board's May, 2013 meeting with more specificity and, possibly, the Board will make an advisory recommendation to the Commission. This item will be brought back to Town Commission at the June, 2013 meeting for discussion and direction.

50. Film Permit Study

Current Status: This project has languished far more than a year. The item will be scheduled for discussion during the May, 2013 Town Commission meeting (Attachment 2).
(Action Item)

51. Isaac Singer Boulevard: Commissioner Marta Olchyk

Current Status: On April 9, 2013 the Town Commission approved and passed Resolution No. 13-2049 to correct the street sign named “Isaac Singer Boulevard” to “Isaac Bashevis Singer Boulevard” to properly honor him on both ends of 95th Street. The Town is awaiting the adoption of this resolution and coordination with Miami-Dade County Commissioner Sally Heyman. The Town submitted the resolution to coordinator Lilia Acevedo of the Miami-Dade County Department of Regulatory and Economic Resources Development Services Division Platting Section. A resolution was drafted on May 1, 2013 and if no revisions are needed it will be brought before the Board of County Commissioners on May 21, 2013 (Attachment 3).

52. Pedestrian Crosswalk at Harding Avenue and 96th Street

Current Status: This FDOT experiment in modifying pedestrian behavior by requiring a three light alternative has been a failure. A meeting has been held with FDOT District Engineer Gus Pego and he has agreed to study going back to the original crosswalk. This will slow eastbound traffic on 96th Street making a right turn to Harding Avenue southbound, however, that is a more desirable consequence than leaving the current dangerous unauthorized pedestrian movement. The Town Manager will also address this item in the meeting with FDOT regarding Town road classifications.

53. Recruitment of Building Official and Public Works Director

Current Status: Human Resources Director Yami Slate-McCloud is currently verifying credentials, conducting file reviews, references and background check of finalists. An employment offer may be accepted by the next scheduled regular Commission meeting.

54. Five Year Financial Plan Update: Mayor Daniel Dietch

Current Status: The Five Year Financial Plan was first adopted during FY 10/11. This document incorporated projected revenues, expenses and capital projects for all funds over a five year period. The key take away from the first iteration of the Plan was that the percentage of property tax burden borne by residents would exceed 90 percent if the in-fill lots in the Collins/Harding Avenue corridor were not built with non ad valorem revenue producing projects such as hotels and if the downtown was not upgraded to ensure property taxes/valuations increased. Both goals as adopted by the Town Commission have been achieved with the Surf Club, Grand Beach Surfside, Marriott Suites and Chateau projects all underway. There have also been more than ten stores downtown upgraded and/or new tenants such as JGB Bank and Starbucks making major investments. All in all a very successful beginning that will ensure the financial future of Surfside.

An updated version is being prepared and will be presented during the FY 13/14 budget process.

55. Expedition Florida 500 (<http://www.motherocean.org/xf500.html>): Mayor Daniel Dietch

Current Status: Ponce de Leon landed on Florida's coastline in 1513. In celebration of the 500th anniversary, the organization Mother Ocean launched a yearlong project called Expedition Florida 500 (XF500). XF500 is a modern-day exploration of Florida's coastline, waterways, and aquatic ecosystem. The expedition's primary goal is to highlight the importance of stewardship efforts as they relate to the ocean, coastlines, waterways, and the marine ecosystem. Florida is unique in that it embodies the entire aquatic ecosystem from source to sea – one of the few places on Earth with such a vast array of thriving wildlife and a natural environment based around water. The XF500 team will document their journey through daily blogging, daily photos and videos for social media outlets, filming for their own documentary. To participate in this celebration, the Parks and Recreation Department will plan and facilitate a group paddle with the XF500 team as it passes by Surfside in early to mid-May, 2013. The event will be off the Surfside Beach area (Attachment 4).

56. Online Bill Pay: Vice Mayor Michael Karukin

Current Status: The on-line payment by credit card of the water, sewer and storm water utility bill by residential and commercial customers is projected to be completed by the end of May, 2013. Finance is currently completing a questionnaire required by SunGard in order to add the Sungard Naviline Cash Receipts Lockbox Interface to the SunGard Utility Billing Software application. A customer test file has been sent to SunGard from the Municipal Code Corporation (bill processor) to test the process. This test process includes the coordination with the bank, SunTrust Merchant Services; the credit card processor, CBOSS; and the utility bill preparer, Municipal Code Corporation.

57. Bicycles on Beach Walking Path

Current Status: The Town does allow bicycles on the hardpack. Seventeen new uniform signs were installed on the entrances from the hardpack to the beach walking path in December 2012. The signs prohibit certain activities including bicycles on the walking path. Staff also installed two no bicycle signs on the north and south entrances to the walkway in May 2013. However, the Town does not have an ordinance in place to enforce this ban and violators of the rule can only be warned. If the Town Commission authorizes a new ordinance, enforcement would be problematic because personnel are not assigned full time to the walkway to monitor bicycles. Current staffing with the Police Department and the Code Compliance Department will not allow full time coverage and both Departments have higher priorities.

58. Town Hall Parking Lot(s) and Parking Solutions

Current Status: At the April 9, 2013 Commission meeting, issues associated with Town Hall Parking Lot(s) and parking issues/solutions were discussed. It was suggested that this project be added as a Point of Light.

In order to understand the magnitude of improvements to the existing conditions, a design build proposal was requested from Lynx Construction Management for discussion purposes. This proposal included design, surveying, permitting, construction, etc. The cost estimate was based on a design to accommodate existing operations (Town Hall, Public Works and Police needs). The Design Build proposal was \$425,441.

It is recommended that no action be taken on this Design Build Proposal. The ultimate parking solution for this area needs to be part of the overall analysis going forward as the Town considers the proposed improvements to the Community Center (second floor option). Also, there has been discussion on relocating all or a portion of the Public Works operation and/or vehicles.

The FY 13/14 budget presented to the Commission will provide a proposal/funding to initiate the planning of Community Center improvements. (Note: voluntary proffers for the Town's Parks and Recreation Capital Infrastructure Program that could be utilized for the Community Center total \$700,000).

Staff will determine appropriate maintenance actions to minimize the impacts of the dirt parking areas in the parking area south of Town Hall until permanent improvements are made.

59. Election Site

Current Status: On April 15, 2013, the Town Clerk notified the Miami-Dade Elections Department that the Town is considering changing the polling location permanently to the Community Center starting with the March 2014 election. Miami-Dade responded that they would look into this issue after the May 14, 2013 County wide election. Staff will follow up with the Elections Department now that the May 14, 2013 will not occur.

60. Code Compliance Software

Current Status: The Code Compliance Department has been working with iWorQ Systems (cloud based software provider) to implement the program to accept complaints, issue courtesy notices, civil violation notices and monitor and report on code compliance cases. Uploading of Town Code Sections and other applicable codes as well as the most commonly used forms has been substantially completed. Testing has also been substantially completed and except for some minor modifications

the program should be in use by the date of this meeting. The iWorQ program also contains a Building Permit component, a Local Business Tax Receipt component, and complaint tracking and response component which have yet to be tested or implemented. Going forward, the Town will need to critically analyze the use of this software if it is not able to be integrated with the software utilized by the Town for Building, Public Works and Finance Departments. This will be fully analyzed during the establishment of tracking/project management software.

61. Abbott and 94th Street Parking Improvements

Background: In December, 2010, Lynx Construction was awarded a contract for design build services for 222 95th Street (Post Office Lot) for design and construction of the new parking lot. At the June 14, 2011 meeting, the Town Commission approved FTE Engineering Inc. to do a Parking Lot Improvement Study for all six (6) municipal parking lots. The purpose of this study was to analyze each of the Town's parking lots, recommend improvements, prioritize the recommendations and provide an engineering estimate of what the improvements would cost.

A bid proposal was also received under the Lynx contract to renovate the Abbott, 95th Street (Shul) 94th Street, Town Hall (93rd Street) and Town Hall (Collins) lots totaling \$220,000 which was below the \$450,000 estimated figure. Renovation was completed on the two Town Hall lots and the 95th Street (Shul) lot for \$95,000 and the cost of landscaping added \$97,000. The remaining lot improvements were delayed pending the Parking Structure Feasibility Study (information from the August, 2012 Points of Light).

Analysis: The Abbott Avenue and 94th Street lots continued to deteriorate pending receipt of the Parking Structure Feasibility Study. The parking lot surfaces need a seal coat applied; re-striping; stucco repairs to walls; and re-painting of walls. Aesthetic improvements consistent with what was recently accomplished at the 93rd Street Lot (across from Town Hall) would provide consistency with previous Town parking lot projects. Former Interim Public Works Director John Di Censo, following receipt of the Parking Feasibility Study, inventoried conditions of the Abbott and 94th Street lots and identified needed capital maintenance issues (sealing, stucco repairs, painting, need for consistency in concrete painting and lack of aesthetic improvements consistent with projects undertaken at other Town parking lots).

Cost of the above improvements:

A. Abbott Parking Lot

• Maintenance Improvements	\$33,691.43
• concrete cuts	\$13,200.00
• landscaping	<u>\$63,585.50</u>
TOTAL Abbott:	\$110,476.93

B. 94th Street Parking Lot

• Maintenance Improvements	\$14,590.00
• concrete cuts	\$7725.00
• landscaping	<u>\$38,051.70</u>
TOTAL 94 TH Street:	\$60,366.70

The existing condition of the lots require the proposed maintenance listed above and upgrade in landscaping of the Abbott and 94th Street lots would be consistent with the Town's efforts on other lots in the business district. This will achieve the original intent of the Commission regarding the upgrading of the parking lots.

How does the landscaping cost for the Abbott and 94th Street lots compare with other Town parking lot projects? The cost of the landscaping for the recently completed landscaping at the 93rd Street lot (across from Town Hall) was \$38,337.50. The cost for landscaping of the Abbott lot is \$63,585.50 and \$38,051.70 for the 94th Street lot.

Finally, the original proposal by the contractor for landscaping the Abbott and 94th Street lots has been reduced by \$35,547.50 (\$21,485.50 for Abbott; \$14,062.00 for 94th) by selecting less costly and smaller trees and reducing certain aesthetic enhancements.

If the Commission authorizes these projects, it will complete the projects identified for parking lot upgrades.

Budget Impact: Consistent with the prior action of the Commission to fund parking lot improvements, the \$170,843.63 total cost of the improvements to the Abbott and 94th Street parking lots would be funded through the reserves of the Municipal Parking Fund (balance as of February 28, 2013: \$1,278,476)

Recommendation: Staff recommends that the Town Commission adopt a resolution accepting the additional services proposal for additional services for upgrades to the Abbott and 94th Street parking lots.

(Note: an option exists to consider a proposal only addressing Maintenance Improvements (\$48,281.43) and postpone/eliminate landscaping/aesthetic upgrades).

(Action Item) (Agenda Item: 5E)

The items below have been completed and deleted from the April 2013 Points of Light report

41. Town Manager Recruitment

Current Status: It is a pleasure to write that this Point of Light has been completed with the appointment of Michael Crotty. Thanks to Human Resources Director Yami Slate-McCloud for her excellent work. Item completed.

46. Surf Club

Current Status: Staff and the Interim Town Attorney's office have been reviewing an amendment requested by Fort Capital in which the developer incorporates aesthetic changes and certain building modifications suggested by recently added architect Richard Meier. The combined DRG/DIC meeting on the revised proposal was held March 4, 2013. The amended site plan was reviewed by the Planning and Zoning Board on April 3, 2013 and will be reviewed by the Town Commission at a special meeting on April 23, 2013.

48. Delivery of New Bus

Current Status: The new bus has arrived at the dealership and the Town's graphic design will be applied. The new bus is expected to be in service by April 15, 2013 and the existing bus will be held in reserve to avoid the need to contract bus service whenever possible. Item completed.

51. Website - Citizen Request Management (CRM): Mayor Daniel Dietch and Vice Mayor Michael Karukin

Current Status: This, and any additional website components, is now a part of the FY 13/14 budgetary process for Town Commission discussion and direction at that time. Item completed.

52. Indian Creek Village Settlement Agreement Update: Commissioner Joe Graubart

Current Status: We have received the first payment in the amount of \$100,000 from Indian Creek Village. The original resolution approved by the Surfside Town Commission established the due date for the funding as the end of December, 2012. The schedule for the Indian Creek Village Council did not allow approval of the required amendment until the end of February, 2013. Therefore the Town Manager extended the date. The remaining \$50,000 will be paid when the beautification/undergrounding of 91st Street is 50 percent complete. Item completed.



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April 26, 2013

VIA ELECTRONIC DELIVERY

Mr. Roger M. Carlton
Town Manager
Town of Surfside
Municipal Building
9293 Harding Avenue
Surfside, Florida 33154

Re: Town of Surfside's proposed recovery of underground conversion costs under Florida Power & Light Company's ("FPL's") Municipal Government Recovery of Undergrounding Fees ("MGRUF") tariff

Dear Roger:

Thank you for visiting with our team in Juno Beach to express the Town of Surfside's interest in modifications to the MGRUF tariff. We appreciate your patience in this matter as we reviewed your request, the customer impact, the system changes that would need to be implemented and the associated expenses for those billing changes, then secured our management's direction on how best to proceed to accommodate your interest, while not adversely impacting FPL's 4.6 million other customers.

As you know, the Town's proposed changes to the tariff seek to clarify that the Town's lender(s) would have the right to encumber Governmental Undergrounding Fees ("Fees") that FPL would collect on behalf of the Town prior to the Fees being paid over to the Town in the Actual Annual Payment. I am enclosing proposed tariff amendments that would address your request as well as other minor clarifications as requested by the Town. Please confirm that the enclosed amendments are suitable to accommodate the Town's interests.

Given that FPL must seek approval by the Florida Public Service Commission ("FPSC") to amend the tariff and will make a considerable commitment of time and resources to that end, including a substantial capital investment to incorporate required modifications to our billing system, we would prefer and have a greater level of comfort knowing that the Town Council formally commits, in a resolution or ordinance, to proceed with its proposed underground

conversion project and to funding that project under the MGRUF tariff if the enclosed tariff amendments are approved. Additionally, the Town's formal commitment would be useful support for our petition to the FPSC.

Should the Town wish to pursue these changes to the tariff, we will work with you and your staff to file the necessary request to the FPSC. Please know, however, our evaluation of the tariff did recognize some limitations of the mechanism that we feel compelled to share with you:

- FPL does not have authority to disconnect customers for non-payment of the Fees that would be billed under the MGRUF. FPL is not in a position to compel payment of the Fees.
- You have indicated that the Town may seek to impose a lien on the property of customers who do not pay their Fees. Assuming that the threat of such liens would be effective in compelling payment of the Fees where the property owner is also the FPL electric customer, it may not work well for rental properties. Where the FPL customer is a tenant who would not be directly affected by the imposition of a lien against the property that he or she rents, it is not clear what leverage the Town would have to compel payment of Fees billed to that customer. According to FPL's records, approximately 46% of the residential electric customers within the Town limits are renters.
- The Fees collected by FPL on behalf of the Town will represent an increase of about 8% over the electric revenues that FPL is currently collecting in aggregate from all customers within the Town. While there would be a few exceptions because of the caps in the MGRUF tariff, the great majority of residential customers and all commercial customers in the Town would see an 8% increase in their individual bills. This is a substantial increase, approximately double the base rate increase that went into effect on January 2, 2013 as a result of FPL's recent rate case settlement.
- FPL expects that bill increases due to the Fee will likely result in a significant level of customer interest, generating a substantial number of customer inquiries from residents. Our customer service personnel (and FPSC staff) will have to explain that this charge has been imposed at the request of the Town Council. We will provide customers with a contact name and number at the Town for any further explanation.

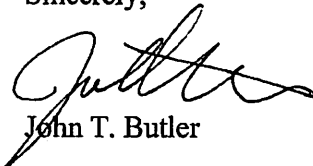
Finally, let me address a different but related topic. As you know, the binding cost estimate ("BCE") for the Town's undergrounding project was set to expire on March 26, but FPL agreed to extend it 30 days, until April 26, 2013 (today). While we are not in a position to commit to a longer extension of the existing BCE, FPL is willing to refresh it with updated information on material and labor costs, in lieu of preparing a new BCE. This would result in substantial cost savings for the Town, because the charge for refreshing the existing BCE would be only \$10,000 versus a charge of approximately \$60,000 for preparing an entirely new BCE (the refreshed BCE would cover each of three undergrounding project phases, in each of the two alternative scopes of work that the Town has requested). Please note that this offer to refresh the BCE is predicated on FPL's understanding that there are no physical changes to the scope of

work under either of the Town's requested alternatives. If there were any physical changes to the scope of work, a new BCE would be required.

If the Town chooses to refresh the BCE, it would then remain open for 180 days from April 26. This should be more than adequate time to resolve the issue of tariff amendments and allow the Town to enter into an Underground Facilities Conversion Agreement for the undergrounding project. Please let me know as soon as possible whether the Town wants to refresh the BCE.

Thank you again for your patience and interest in pursuing the MGRUF tariff amendments. Be assured, FPL understands and appreciates the level of commitment and dedication that you personally and your team have devoted to this endeavor. If the Town decides that it wants FPL to proceed with the tariff amendments, we hope that the Council sees the value in confirming that commitment formally. Once we hear from you, FPL will file a petition to amend the tariff within ten days of receipt. Of course, if you or any of the Town's representatives have any questions or would like to discuss the concerns set forth above, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "John T. Butler", written over the printed name.

John T. Butler

(Continued from Sheet No. 6.601)

UNDERGROUND CAPITAL COST RECOVERY CONTRACT

The local government shall enter into an Underground Capital Cost Recovery Contract with the Company, the form of which is satisfactory to the Company and has been approved by the FPSC or its staff, establishing the specific terms and conditions for underground cost recovery consistent with the provisions of this tariff. Terms to be included in the Underground Capital Cost Recovery Contract shall include, but are not limited to, the following:

- 1) [The local government] represents and warrants that it has full legal right and authority: (a) to enter into this Underground Capital Cost Recovery Contract; (b) to take all actions and measures necessary to fulfill [the local government's] obligations under the MGRUF tariff and this Underground Capital Cost Recovery Contract; (c) to establish Underground Assessment Areas; and (d) to authorize the Company to collect a Governmental Undergrounding Fee from the Company's customers pursuant to the MGRUF tariff and this Underground Capital Cost Recovery Contract. [The local government] further represents and warrants that it has complied with all applicable notice and other procedural requirements pertaining to the assessment or collection of a charge to residents for the undergrounding of electric service.
- 2) [The local government] acknowledges and agrees that the Governmental Undergrounding Fee computed and collected by Company in accordance with the MGRUF tariff is assessed solely by virtue of duly exercised authority of [the local government] and not pursuant to authority of the Company or the FPSC and that, in collecting the Governmental Undergrounding Fee for [the local government], the Company is acting on behalf of [the local government] and not in its own right.
- 3) [The local government] acknowledges and agrees that all payments made by the Company's electric customers within the UAA shall first be applied to satisfy the customers' payment obligations to the Company, including payments for electric service, and for any service charges and penalties for late payments, and that only the amount, if any, by which a payment exceeds a customer's obligation to the Company shall be available for application to the Governmental Undergrounding Fee and remittance to [the local government]. ~~The Company shall remit all Governmental Undergrounding Fees actually collected on behalf of [the local government].~~ [The local government] further acknowledges and agrees that, notwithstanding anything in this Underground Capital Cost Recovery Contract or the MGRUF tariff to the contrary, the Company shall have no obligation to remit to [the local government] any amounts in excess of Governmental Undergrounding Fees actually collected and that any shortfall between the Target Annual Payment and the Actual Annual Payment amount remitted to [the local government] pursuant to this Underground Capital Cost Recovery Contract shall be borne solely by [the local government].
- 4) The Company and [the local government] agree that the Company shall not assess any late payment fee on the Governmental Undergrounding Fee.
- 5) [The local government] agrees, to the extent permitted by applicable law, to indemnify, pay, defend, and hold harmless the Company and its officers, directors, employees, agents, contractors and affiliates (collectively referred to hereinafter as the "FPL Entities") from and against any and all claims, demands, losses, costs, or expenses for loss, damage, or injury to persons or property of the FPL Entities or third parties caused by, arising out of, or resulting from: the application of the MGRUF or this Capital Cost Recovery Contract; the assessment or collection of the Governmental Undergrounding Fee, a breach by [the local government] of its covenants, representations, warranties or obligations hereunder, the negligence or willful misconduct of [the local government] or its contractors, agents, servants or employees; or any other event or act that is the result of, or proximately caused by the local government or its contractors, agents, servants or employees.
- 6) [The local government] acknowledges and agrees that the Company may not and shall not disconnect electric service of customers for failure to pay the Governmental Undergrounding Fee.
- 7) The Company and [the local government] agree that the term and expiration date of this Underground Capital Cost Recovery Contract shall coincide with the number of years specified in the Target Annual Payment section of this tariff.
- 8) (a) [The local government] shall not (i) permit any lien, encumbrance or security interest to attach to the Company's revenues (the "Revenue Stream"), (ii) permit any of the Revenue Stream to be levied upon under legal process, (iii) attempt to sell, transfer, pledge or assign any of the Revenue Stream, or (iv) permit anything to be done that may impair the value to the Company of the Revenue Stream. ~~[The local government] acknowledges that it has no rights to the Revenue Stream.~~
 (b) ~~The Company agrees that [the local government] may pledge, lien, encumber or attach a security interest to the Actual Annual Payment for the payment of debt issued to finance the underground conversion of distribution facilities in the UAA, so long as such debt is issued in accordance with Florida law and [the local government] otherwise has such authority to pledge the funds collected under the MGRUF tariff.~~
 (c) ~~The resolution or ordinance authorizing such debt which pledges the funds collected under the MGRUF tariff shall state that the debt is not a debt or obligation of the Company and the Company is not acting as a guarantor of such debt.~~

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The Company and [the local government] agree that the Company may suspend on an indefinite basis the application of the Governmental Undergrounding Fee to those customers where four consecutive months of non-payment of said Governmental Undergrounding Fee is experienced. The Company shall provide [the local government] on an annual basis a list of the customers where suspension of the Governmental Undergrounding Fee has taken place as a result of non-payment.

The Company and [the local government] agree that the Company shall not assess the Governmental Undergrounding Fee until the conversion of distribution facilities from overhead to underground service upon which the Target Annual Payment is based is complete.

Deleted: August 19, 2003

Issued by: S. E. Romig, Director, Rates and Tariffs

Effective: [TBD]

(Continued from Sheet No. 6.602)

- 9) The Company and [the local government] agree that the Company may suspend on an indefinite basis the application of the Governmental Undergrounding Fee to those customers where four consecutive months of non-payment of said Governmental Undergrounding Fee is experienced. The Company shall provide [the local government] on an annual basis a list of the customers where suspension of the Governmental Undergrounding Fee has taken place as a result of non-payment and the amounts that have not been paid.
- 10) The Company and [the local government] agree that the Company shall not assess the Governmental Undergrounding Fee until the conversion of distribution facilities from overhead to underground service upon which the Target Annual Payment is based is complete.
- 11) [The local government] may request an accounting of the Governmental Undergrounding Fees collected from time to time.

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Issued by: S. E. Romig, Director, Rates and Tariffs
Effective: [TBD]

10. Photo/film permit program: Town Manager, Roger Carlton will prepare a policy for the photo/film permit program in conjunction with input from Surfside citizens. A report will be prepared by Parks and Recreation Director Tim Milian, Police Chief David Allen and Tourist Bureau Director, Duncan Tavares for the December 14, 2010, Town Commission agenda.

Current Status: A meeting with Peter Glynn and the Town Manager was held on Monday, January 10, 2011 regarding moving the process forward. The outcome of this meeting was the suggested formation of a three person Advisory Committee to review a proposed ordinance and corresponding guidelines and permitting applications. Peter Glynn, Andy LaBrada and Bera Kalhan have agreed to constitute the Advisory Committee subject to Town Commission confirmation which will be presented with this ordinance in April 2011. This Committee will work with staff on Photo/Film Permit reviews upon adoption of a Town ordinance. This ordinance is earmarked for Commission first reading in April.

11. Circulator bus: Town Manager, Roger Carlton will review the potential linking of the Surfside circulator bus with other communities to allow residents transportation to the Sunny Isles library and possible other destinations. A report will be made to the Town Commission at their November meeting.

Current Status: The Managers of Bal Harbour, Surfside, Bay Harbor Islands and Sunny Isles Beach met in December 2010 to discuss potential linkages of their respective bus systems. The consensus was that a coordinated routing system would benefit all communities. Data allowing for operational improvements and improved linkages has been received. A recommendation will be made to the Town Commission in April 2011.

12. Water saving program: Town Manager, Roger Carlton instructed former Public Works Director, Fernando Rodriguez with the assistance of John Messarian, Engineer with Calvin, Giordano and Associates to obtain information regarding a water saving program that would provide reduced water usage in toilets. A report will be presented to the Town Commission at their November meeting.

Current Status: The program has been expanded to include other "green" issues. A report from the Town's consultant, Calvin Giordano and Associates was accepted by the Town Commission during the February 8, 2011 Town Commission meeting, Public Works Director Bill Evans will begin to bring specific recommendations in the near future.

13. Prepare a Five Year Financial Plan

Current Status: The Five Year Financial Plan appeared on the February 8, 2011 Town Commission meeting agenda. A Commission workshop was held on March 1, 2011 and direction was given that will help support the FY 11/12 budget process.

14. Study of Impact Fees

Current Status: Based on the outcome of the combined Planning and Zoning/Town Commission meeting, it may be more appropriate to have the proposed Development Impact Committee negotiate the off-site improvements to be funded by significant developments. Item completed.

15. Seek permission to use Bal Harbour basketball court and Sunny Isles skate park

Approved _____ Mayor
 Veto _____
 Override _____

Agenda Item No.

RESOLUTION NO. _____

**RESOLUTION APPROVING THE TOWN OF SURFSIDE CO
 DESIGNATION OF 95TH STREET "ISAAC BASHEVIS
 SINGER BOULEVARD"**

WHEREAS, in 1979, the Town of Surfside adopted Resolution No. 1064, requesting that Miami-Dade County co designate 95th Street as "Isaac Singer Boulevard" and

WHEREAS, on April 9th, 2013, the Town Commission of the Town of Surfside adopted Resolution No. 13-2049 which authorized the correction of the street co designation "Isaac Singer Boulevard" to "Isaac Bashevis Singer Boulevard", a copy of which is attached and incorporated by reference, and

WHEREAS, Isaac Bashevis Singer was born in Poland on November 21, 1902, and in 1935 emigrated to the United States due to the growing Nazi threat; and

WHEREAS, Isaac Bashevis Singer was a well-known Jewish-American author that won the Nobel Prize in Literature in 1978; and

WHEREAS, Isaac Bashevis Singer died in Surfside, Florida at the age of 88 on July 24, 1991

WHEREAS, 95th Street (Isaac Singer Boulevard) is a city street located in the Town of Surfside; and

WHEREAS, the Town of Surfside wants the County to install signage indicating this co designation on County street signs and traffic signal masts arms; and

WHEREAS, this co designation is located in County Commission District 4,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Approves the Town of Surfside co designation of 95th Street (Isaac Singer Boulevard) as "Isaac Bashevis Singer Boulevard."

Section 2. Directs the Clerk of the Board to send certified copies of this Resolution to the Town Manager of the Town of Surfside, the United States Postal Service, the Traffic Signals and Signs Division of the Public Works and Waste Management Department, the Development Services Division of the Regulatory and Economic Resources Department, the Town of Surfside Police Department, and the Miami-Dade County Fire Rescue Department.

The Prime Sponsor of the foregoing resolution is Commissioner Sally A. Heyman. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Rebeca Sosa, Chairwoman
Lynda Bell, Vice-Chair

Bruno A. Barreiro
Jose "Pepe" Diaz
Sally A. Heyman
Jean Monestime
Sen. Javier D. Souto
Juan C. Zapata

Esteban L. Bovo, Jr.
Audrey M. Edmonson
Barbara J. Jordan
Dennis C. Moss
Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this _____ day of _____, 2013. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Jess M. McCarty

Contact: Cynthia Trone
(561) 629-3765



For Immediate Release

MOTHER OCEAN'S EXPEDITION FLORIDA 500 ARRIVAL IN SURFSIDE!

Founder Justin Riney Promoting Florida Conservation on 365-Day Journey

Jupiter, May 7, 2013 – Expedition Florida 500 (XF500) is a modern-day exploration of Florida's coastline, waterways, and aquatic ecosystem, as seen through the eyes of the waterman. 2013 is Florida's 500th anniversary since Ponce de Leon landed on Florida's coastline in 1513; in celebration of this momentous occasion, Mother Ocean has partnered with Viva Florida 500, the Florida Department of State, the Florida Department of Environmental Protection, Quiksilver Waterman Collection, Tahoe SUP, and various others to embark on a yearlong journey combining the best of exploration, adventure, stewardship, science, and sport into a package that will include the full gamut of the waterman's lifestyle. Mother Ocean's Justin Riney is leading the movement for the entire 365 days; he is joined by partnering organizations, spending the first half of the year exploring the coastline and the second half traversing the inland waterways, lakes, springs, and Everglades.

STATE PARTNERSHIP

The expedition's primary goal is to highlight the importance of stewardship efforts as they relate to Florida's coastlines and waterways. XF500's mission is to raise awareness for Florida's diverse and natural resources, as well as the history and culture that surrounds them. Florida Secretary of State Ken Detzner remarked that XF500 raises awareness of the unique landscape we have in our beautiful state and how we can all help to preserve, protect and enjoy it for the next 500 years. "We are honored to be partnering with Mother Ocean, Inc. and Expedition Florida 500 for this statewide, yearlong adventure highlighting Florida's cultural, historic and natural resources." In 2013, Florida will mark 500 years of history and diverse cultural heritage – a claim no other state in America can make – and promote the place where the world's cultures began to unite and transform into the great nation we know today as the United States of America. Viva Florida 500 will take place year-round in 2013, and its many partners are planning more than 300 events statewide. The goal is to promote 500 years of Florida's history— its people, places and cultural achievements – and this important milestone in American and Florida history. Learn more by visiting www.vivaflorida.org.

EVENT DETAILS

**The media and general public are invited to participate in the following event
All times listed are EST.**

Tuesday, May 14th 5-6:30 pm Community Center, 9301 Collins Avenue, Surfside, FL 33154

Justin Riney will share his vision for Expedition Florida 500 and be on hand to answer questions about his journey. An official presentation from the Mayor will be followed by a ceremonial group paddle at Surfside Beach. Bring your own kayaks and paddleboards to join Justin on the water. PFDs required. All are welcome, event is free.

For more information, please contact Cynthia Trone at cynthia@motherocean.org.
Follow the yearlong journey in detail at www.facebook.com/XF500, and learn more at www.motherocean.org

From: Tim Milian
Sent: Monday, May 06, 2013 5:18 PM
To: Michael Crotty
Cc: Daniel Dietch; cynthia@motherocean.org; Jacquelyn Villagran; Simone James
Subject: Expedition Florida 500

Expedition Florida 500 is in the works. I am waiting on the press release and flyer from Cynthia. We should have them by tomorrow.

The public will be invited to attend a meet and greet with Expedition Florida 500's Justin Riney. The event will take place from 5:00-6:30 p.m. on May 14, 2013 at the community center. Riney will be on hand to answer questions and to discuss his journey. We will also have a ceremonial paddle at surfside beach following the meet and greet. We will welcome anyone who would like to paddle alongside with Justin. (Paddle boards will not be provided)

The town will present a proclamation to Justin, and the parks and recreation will plan and set up everything else (space, tables, chairs and light refreshments). I will work with legal on the proclamation sometime this week.

I will keep you posted as we move along.

What is Expedition Florida 500?

Mother Ocean has launched a yearlong project in 2013 called Expedition Florida 500 (XF500) with numerous partners including Quiksilver, Tahoe SUP, Viva Florida 500, and more. XF500 is a modern-day exploration of Florida's coastline, waterways, and aquatic ecosystem as seen through the eyes of the waterman. 2013 is Florida's 500th anniversary since Ponce de Leon landed on Florida's coastline back in 1513; in celebration of this momentous occasion, the organizations will unite to embark on a yearlong journey combining the best of exploration, adventure, stewardship, science, and sport into a package that will include the full gamut of the waterman's lifestyle.

Mother Ocean's Justin Riney will be leading the movement for the entire 365 days; he will be joined by an all-star cast from partnering organizations, spending the first half of the year exploring the coastline: chasing hurricane swell in the Atlantic, freediving Spanish shipwrecks, sailing in the Gulf of Mexico, standup paddling the state's coastline, spearfishing in the Dry Tortugas, and stopping into local beachside communities and hosting cleanups. They'll encourage others to paddle with them, including team riders from Quiksilver and various celebrity paddlers.

Team XF500 will then turn inland, spending the second half of the journey along the rivers, lakes, estuaries, and marshland – the intricate network that makes up the Florida freshwater ecosystem. They'll document and explore the waterways much like they did with the coastline. They'll camp and airboat through the Everglades, canoe the natural springs, film amazing Florida wildlife and scenery, kayak and standup paddle the rivers and waterways, and leave the land in better and cleaner condition than when they arrived. Camping and living off the land will be the norm.

The expedition's primary goal is to highlight the importance of stewardship efforts as they relate to the ocean, coastlines, waterways, and the marine ecosystem. Florida is unique in that it embodies the entire aquatic ecosystem from source to sea – one of the few places on Earth with such a vast array of thriving wildlife and a natural environment based around water. The team will document their journey through daily blogging, daily photos and videos for social media outlets, filming for their own documentary, and filming for Tahoe SUP's EXPLORE project series.

Expedition 500

May 14th * 5:00-6:30pm

Surfside Community Center

FREE

Expedition 500 is a modern day exploration of Florida's coastline, waterways and aquatic ecosystem, as seen through the eyes of a waterman. In celebration of Florida's 500th anniversary Mother Ocean's Justin Riney is leading a yearlong journey exploring the coastline.

Justin will be in Surfside on May 14th to share his vision for Expedition 500 and be on hand to answer questions about his journey. An official presentation by the Mayor will be followed by a ceremonial group paddle at Surfside Beach. Bring your kayaks and paddleboards to join us on the water. Personal Flotation Devices are required.



TOWN OF SURFSIDE
Office of the Town Attorney
 MUNICIPAL BUILDING
 9293 HARDING AVENUE
 SURFSIDE, FLORIDA 33154-3009
 Telephone (305) 993-1065

TO: Town Commission

FROM: Linda Miller, Interim Town Attorney

CC: Michael P. Crotty, Town Manager
Sarah Johnston, Interim Assistant Town Attorney

DATE: May 15, 2013

SUBJECT: Office of the Town Attorney Report for May, 2013

This Office attended/ prepared and/or rendered advice for the following Public Meetings:

April 9, 2013	Commission Meeting
April 17, 2013	Code Compliance Workshop
April 22, 2013	DVAC Meeting
April 23, 2013	Quasi-judicial Hearing for Surf Club Amended Site Plan
April 24, 2013	Downtown Property Owners BID Meeting
April 25, 2013	Planning & Zoning Board Meeting
April 29, 2013	Park and Recreation Committee Meeting
May 6, 2013	Tourist Board Meeting

Resolutions/Proclamations:

- Endorsing the Mayors' Climate Action Plan
- FY 12/13 Proposed Mid-Year Budget Amendment Resolution.
- Adopting the Emergency Operations Plan Update.
- Expenditure of Forfeiture Funds for the Purchase of Breeding Tools and Chemical Agents.
- Mutual Aid Agreement with North Bay Village.
- Dog Park Memorandum of Understanding and Rules of Dog Park.
- Lukes for Dog Park Landscaping.
- Lukes for Landscaping Parking Lots.

- Lynx for Paving of Abbott Lot and 94th Street Lot.
- FPL \$10,000 Authorization for a Revised Binding Underground Cost Estimate.
- Zambelli Fireworks Approving Agreement.
- Kiddie Pool Repairs and Approving Agreement with Naumann Nature Scapes, Inc. for Community Center water feature.
- Approving a \$250 Donation to a Scholarship Fund in Memory of Dr. Rosann Sidener
- Proclamation for Dr. Rosann Sidener
- Proclamation for Carmen Villanueva
- Proclamation for Kernithia Jones-Nabors

Town Manager:

- Finalize Resolution for Surf Club Amended Site Plan for Quasi-judicial Hearing.
- Research and analysis of Comprehensive Plan and Land Use relating to places of public assembly.
- Follow-up with The Shul expansion project and attend DRG meeting.
- Review Building Official's comments to prepare final Agreement with Spiaggia Condo.
- Continuing assistance with FEMA response.
- New Bus Shelter Installations.

Town Clerk:

- Opine on public records requests/research sunshine law issues.
- Follow-up regarding election dates.
- Research notice requirements.
- Opined on Town resident code review assistance.

April 25, 2013 Planning and Zoning Board Agenda:

- 9341 Bay Drive –Request to remove the existing Australian Pines surrounding the property and replace them with a six-foot hedge.
- 8925 Bay Drive –Request to add a garage on the northeast side of the single family home.
- 8819 Byron Avenue –Request to replace the existing asphalt shingle roof with new asphalt shingle roof.
- 9349 Abbott Avenue –Request to convert the garage to a storage room and extend the existing driveway.
- 8985 Bay Drive –Request to maintain an existing six-foot privacy hedge along the northeast side of the property.
- Discussion and review of preliminary Streetscape for Harding Avenue.
- Discussion of Subway Building Renovation and Pass through from Abbott Lot to Harding Avenue.
- Discussion and Introduction of Grand Beach Surfside Sign Package.
- Discussion of Long Range Strategies by Town Manager, Roger Carlton.

Building Department/Code Enforcement/Planning:

- Coordinate with Building Official and outside FEMA counsel for follow-up to CAV response.
- Prepare materials for Code Enforcement Workshop.
- Research 40 year Recertification issuance and extension.
- Opined on boat docking issue – notice of violation.
- Research and compile history of hedge ordinances.
- Research various municipalities landscaping provisions.

Human Resources Department:

- Opined on Subpoena of personnel file issue with ex-Surfside Police Officer.
- Revision of General Employment, Independent Contractor and Volunteer Applications.

Finance Department:

- Continue analysis of finance issues with outside bond counsel and FPL for undergrounding utilities.
- Preparation of Resolution requesting additional 10K for undergrounding study.
- Prepare Mid-year budget resolution.
- Research and strategize for upcoming FY 2013/14 Budget Workshops and Hearings.

Parks and Recreation:

- Preparation of Agreement with Naumann Nature Scapes, Inc. for Community Center water feature.
- Researching enforcement of Beach Walking Path rules –assistance from Chief of Police.
- Opined and research rules and procedures of other municipalities for revisions to parks rules and policies.

Tourist Bureau/Downtown Vision Advisory Board/Tourist Board:

- Review, research and prepare for Ethics policy and procedures for Tourist Board.
- Follow -up re: post Tourist Board requests.
- Prepare final Turtle Artist Waiver.
- Follow- up re: post Downtown Vision Advisory Board requests.
- Downtown Vision Project continuing issues including creation of a Business Improvement District; research various municipalities in preparation for revisions to draft ordinance.
- Resort Tax Penalty clarification and research.
- Future discussion of planning for Electric Car Charging Stations
- Follow-up rules of procedure inquiry.

Public Works:

- Invitation to BID 95th St. Streetscape Project.
- Seawall Restoration Project.
- Follow-up regarding installation of new Bus Shelters.

Police Department:

- Discussion and analysis of insurance liability issues and follow-up with FMIT representative.
- Follow-up update on Emergency Preparedness Plan and finalize Amendments to Debris Monitoring and Debris Removal Contracts.
- Review Hardware and Software Maintenance Contract Agreement.
- Follow-up with Police and Parks and Recreation Department on conduct policies.
- Follow-up with Firearms manufacturer regarding engraving issue.
- Follow-up on Beach Walk issue regarding bicycles on path.

Litigation:

In Re Forfeiture Of \$18,155.00 U.S. Currency; 2012 Honda Civic, V.I.N. 2HGHB2F84CH503951, Case No. 12-41877 CA 23 Circuit Court of the Eleventh Judicial Circuit in and for Miami-Dade County, Florida. We work with outside counsel on this forfeiture case. Barrocas retained an attorney who filed an answer on his behalf. The Town's counsel prepared a Motion for Summary Judgment and Affidavit. A summary judgment can be awarded by the court before trial, based only upon the court's finding that there are no disputes of material fact requiring a trial to resolve, and in applying the law to the undisputed facts, one party is clearly entitled to judgment.

Florida Municipal Insurance Trust ("FMIT") has covered/provides coverage for the following matters:

1. Pieter Bakker vs. Town Of Surfside, a municipal corporation of the State of Florida and Young Israel Of Bal Harbour, Inc. In The Circuit Court Of The Eleventh Judicial Circuit In And For Miami-Dade County, Florida Case No. 12-17783 CA04, ("State Court Matter") filed on May 30, 2012 alleges counts against the Town include contract zoning, charter violations, and a request for a writ of certiorari to quash Resolution 12-Z-2078 approving a site plan application to permit Young Israel to build a synagogue on 9580 Abbott Avenue. Bakker filed a Motion to Abate which has not been ruled on by the Court.
2. Pieter Bakker vs. Town Of Surfside, a municipal corporation of the State Of Florida and Young Israel Of Bal Harbour, Inc. United States District Court Southern District Of Florida, Civil Action No. 12-cv-24053 ("Federal Court Matter") filed on November 8, 2012 includes allegations as to whether the Town violated Bakker's constitutional rights by entering into a Update: from Jeffrey Hochman states the Motion to Dismiss was served on behalf of the Town in response to Bakker's Amended Complaint. The Motion states the Complaint fails to assert any valid federal claim and that the Court lacks federal subject matter jurisdiction.
3. Josefina Lopez vs. Town of Surfside and Florida Department of Transportation. Case No. 13-08398CA31, Circuit Court of the Eleventh Judicial Circuit in and for Miami-Dade County, Florida. Plaintiff, Lopez filed a complaint alleging on May 18, 2009 while walking on the sidewalk located at 9140 Collins Avenue, she stepped into an uneven jagged crack in the sidewalk concrete and injured herself. We are working with Florida League counsel on responding to discovery requests and assisting League Counsel with this matter.

Ongoing FMIT matters:

Michael Henderson has filed a claim alleging excessive force. This claim is currently under pre-suit investigation by the Florida League of Cities in accordance with the Town's insurance policy.

Special Matters: Continued monitoring of new case law and legislation on Federal, State, and County levels.



TOWN OF SURFSIDE
PROJECTS PROGRESS REPORT
CALVIN, GIORDANO & ASSOCIATES, INC.
May, 2013

1. **Planning and Community Development** – In August 2012, the Shul submitted a site plan application for an expansion. Staff met with the applicant to discuss the review comments and they resubmitted the plans on January 25, 2013. Staff held Development Review Group meetings on February 13, 2013 and March 28, 2013. Upon resubmittal, a number of outstanding comments still have not been addressed. Once all of the outstanding comments are addressed, a Development Impact Committee meeting will be scheduled. The Surf Club has submitted a site plan amendment. The amendment includes relocating a portion of the cabanas to the north of the property, reducing the length of the southern building by approximately 20 feet and changing the overall look of the façade by including architect Richard Meier's signature "see-through" glass design. A joint Development Impact Committee/Development Review Group meeting was held March 4, 2013, the Planning and Zoning Board approved the site plan amendment on April 3, 2013 and the Town Commission approved the site plan amendment on April 23, 2013. Staff continues to answer approximately 80 zoning questions monthly and reviews permit applications.

2. **Information Technology & TV Broadcasts** - The mail server has been up and running without interruption for 292 days. The last downtime was for routine maintenance and occurred on July 11, 2012. IT has provided cost estimates to the Finance Department for SunGard and Municode to allow paying utility bills online and the Finance Department is targeting an early June completion for the project. IT has provided the Finance Director with the quote to upgrade the Atlantic Broadband cable connection to high definition and IT is currently awaiting direction. IT installed the new Town Manager's Laptop in March 2013 and has installed a new microphone to increase reliability at public meetings. IT is working with Triad Security to install panic buttons in the chamber room to alert dispatch of emergency situations. This will be completed by May 3, 2013. The police training room was repaired on April 11th, 2013 by Triad Security to facilitate use of the overhead projector with a laptop computer. The IT staff continues to receive approximately 300 support requests monthly via phone and email.

3. **Public Utilities / Engineering** – The Water/Sewer/Storm Drainage Project commenced on August 15, 2011 in the southern sector of the Town (Phase I). The project involves water main/water service replacements, lining or replacement of the gravity sewer mains and sewer lateral replacements, rehabilitation of the sewer pump stations, and improvements to the stormwater collection system including three (3) new storm drainage pump stations. Phase I-III are now all substantially complete. All of the sewer mains have been lined and the TV crews have now completed the post construction video which is being reviewed for approval by Town Staff and CGA Engineers. The final lift of asphalt installation commenced

February 25, 2013. The paving subcontractor began in the south end of Town and has completed all available areas (Town is working with FDOT for the required restoration on FDOT roadways). The permanent pavement marking and stripping is occurring as the asphalt has set a minimum of 21 days. The Contractor is finalizing the work to complete the final punch lists this month. Sanitary pump stations are substantially complete and off of the bypass pumps. The electricians are finalizing the automated controls on the sanitary pump stations in May. The drainage pump stations have passed all electrical inspections and FPL has provided power. Final modifications to the drainage pump stations are being completed in May. The close-out of all pump stations will include full training of Town staff on operation and maintenance (O&M) and the contractor will provide O&M manuals.

Both Surfside and the Village of Bal Harbour are currently utilizing the newly installed Collins Avenue force main with no operational issues. CGA will assist the Town manager in negotiating with Bal Harbour a resolution of the design costs for the force main or arbitrations will begin.

Partial refinancing of the project has been completed to reduce the interest costs and provide funding for additional utility main replacements, and other costs within the original scope. A comprehensive status report for the project was provided in the August 14, 2012 Commission Agenda package and authority was granted to complete the project within a total budget of \$23.635 Million. Retainage will continue to be held and will only be released after all work is completed including the punch list. This will likely occur after Town Manager Carlton's departure and the release of final retainage will be approved by Town Manager Crotty.

Funding Summary –

<u>Funding Status:</u>	<u>Amount</u>	<u>Amount Received</u>
FDEP Grant	\$873,500	\$0 **
FDEP Grant	\$125,000	\$12,500 **
FDEP Grant	\$100,000	\$100,000
FDEP State Revolving Fund Loan*	\$9,312,881	\$4,792,023 ***
BBC Bond	\$859,000	\$787,335
TOTAL	\$11,270,381	\$5,691,858

*This loan has the potential of \$2-\$3 Million being forgiven by the State.

*Partial Reimbursement #2 is in process for \$3.188MM bringing total requested to \$7.896MM

**Reimbursements currently being processed by FDEP

*****The State of Florida has reduced the interest rate from 2.12% to 1.87% fixed over the life of the loan. This will save approximately \$200,000 of interest cost.**

4. **Neighborhood Improvements** – CGA Staff completed the traffic computer modeling of the Town's roadway system as an element of the Town-wide traffic calming study. The initial traffic counts to complete the traffic study occurred in September, 2012. A number of the counts were finalized in late October due to construction activities. These counts are incorporated in the Draft Traffic Study Report that was discussed at the April 9, 2013 meeting. As authorized by the Town Commission, staff will hold public meetings to discuss and receive resident input. The Town Manager will also utilize this study during his discussions with the Village of Bal Harbour regarding the potential mall expansion, and discussions with Miami-Dade County regarding additional traffic calming devices and street beautification projects.
5. **Emergency Management** - CGA finalized all revisions to the Town's Emergency Operations Plan (EOP) and submitted it on Friday, March 29, 2013. Onsite training occurred on Friday May 3, 2013.
6. **Emergency Seawall Repair at 88th & Carlyle** - The drawings have been reviewed and permitted by the Town Building and Planning Departments. Miami Dade County RER (Formerly DERM) has completed the Biological Opinion (BO). The results of the BO were submitted to the Town and CGA has incorporated the BO permit requirements into our final plans. The final plans have been submitted for final permits. The US Army Corps of Engineers (USACE) permit was obtained in late February 2013 and the FDEP permit was obtained in April 2013. The South Florida Water Management District (SFWMD) and Miami Dade County RER permits are expected in May 2013. Once these permits are received, the project will be awarded to the lowest cost of the three bidders.
7. **Town-Owned Seawall Repair** - The 90% plans were submitted to the Florida Inland Navigation District (FIND) Commissioner Spencer Crowley, III, who represents Miami Dade County on the FIND Board. The project received a favorable response from the Commissioner and we submitted our project for funding. FIND has scheduled project presentations to occur in June 2013 with final funding decisions coming in July 2013. If awarded, funding becomes available October 1, 2013. Simultaneously, while we are applying for the FIND funding we will be working on obtaining the required USACE, FDEP, Town and Miami Dade County RER permits.



**TOWN OF SURFSIDE
DVAC**

**Monday, February 25, 2013 – 7:00 p.m.
Commission Chambers**

Town Hall 9293 Harding Avenue, 2nd Floor
Surfside, FL 33154

MINUTES

I. Call to Order and Roll Call

The meeting was called to order at 7:03 pm by TEDACS Director Duncan Tavares.

In attendance: Jackie Murphy, Martha Castro, Jaymy Bengio, Gil Katzman, Peter Filiberto, Andy LaBrada, Joe Corderi, Ken Arnold, Lou Cohen, Interim Town Attorney Assistant Sarah Johnson, Shawn Grenald, Barbara Cohen, June Miller, Commissioner Michelle Kligman (7:22pm), Jessica Weiss, Consultant Edwin Rivera.

II. Approval Meeting Minutes: DVAC

January 28, 2013

January 9, 2013 Streetscape Master Plan

MOTION

The Town of Surfside DVAC committee recommended approving the minutes for January 28, 2013 and January 9, 2013 Streetscape Master Plan meetings. Lou Cohen moved, Shawn Grenald second the motion. The motion passed unanimously.

III. BID Consultant Update

Consultant Terrell Fritz was absent from the meeting. He will provide a complete update on everything he has been working on for the next Downtown Vision Advisory Committee meeting.

IV. Parking Structure Study Update

Duncan Tavares stated the Parking Structure Study is closed to being finalized, in order to hand out to the Downtown Vision Advisory Committee members.

V. Downtown Streetscape Plan Update

Duncan Tavares presented the renderings of the Downtown Streetscape Plan.

VI. Awnings Ordinance Amendment Discussion ~ requiring awnings with each new renovation to create a continuous pedestrian coverage: Eli Tourgeman

****Deferred**

VII. Storefronts Lighting Ordinance Discussion ~ requiring storefronts to maintain lighting at night

Sarah Johnson stated the Town has no specific ordinance to enforce with Storefronts lighting. She also stated that the Town would have to create an ordinance since it does not exist in any other city. Ken Arnold suggested enforcing the code and letting the Business Improvement District address it. Shawn Grenald suggested enforcing the code in which the Town currently has, and then create an ordinance once the Business Improvement District goes through. Joe Corderi suggested the code should state specific description of light guidelines. Lou Cohen suggested

enforcing the code to retail stores and offices. Gil Katzman asked if any other cities were researched. Sarah Johnson stated that she researched throughout the state. Duncan Tavares stated the Storefronts Lighting will be taken to the Business Improvement District.

VIII. Downtown Electronic Wayfarer Signs: Andy LaBrada

Andy LaBrada introduced Edwin Rivera from Credelis Company. Edwin Rivera gave a description of his company. Credelis is a company in which concentrates in digital interactive touch screens and Realty Boost. Joe Corderi asked if there is any kind of information that may be put into the kiosk. Edwin Rivera stated that the Town may input any information it desires in the corresponding places the Town would like to promote. Duncan Tavares stated Miami Beach already contains interactive kiosk and app, he also states this will bring great advertisement to the Town. Duncan Tavares requested for Edwin Rivera to bring back more examples for the next DVAC meeting for discussion.

IX. Downtown as a “Mom & Pop” Incubator or Brand Name Mecca

Commissioner Michael Karukin requested for the Committee to discuss whether Surfside’s Downtown should go through larger name stores or become a Mom & Pop Incubator. Jessica Weiss stated that Surfside’s Downtown should have more diversity of businesses. Commissioner Michelle Kligman stated that they are trying to make Downtown a pedestrian friendly urban center. Lou Cohen stated that an anchor store will be the best way to go and will help get Downtown more attention.

X. Action Item:

Duncan Tavares stated that a new employee has joined the Code Compliance Department and would like to speak in the next Downtown Vision Advisory Committee meeting of his overview on the Downtown.

XI. Public Comment

XII. Next meeting:

Monday, March 25, 2013

XIII. Adjournment

The meeting was adjourned at 8:30 pm.

There being no further business to come before the Committee, the meeting adjourned at 8:30 p.m.

Accepted this 22 day of April, 2013

Ken Arnold
Member (Print)

[Signature]
Signature

Attest:
[Signature]
Jenorgen Guillen
Recording Clerk



TOWN OF SURFSIDE

MUNICIPAL BUILDING
9293 HARDING AVENUE
SURFSIDE, FLORIDA 33154-3009

PARKS AND RECREATION ADVISORY COMMITTEE MEETING

7:00 pm

Monday March 18, 2013

Community Center
9301 Collins Avenue

MINUTE

1. Roll Call of Committee Members

Meeting called to order at 7:02pm by Chair Doris Obregon

In attendance: Retta Logan, Veronica Lupinacci, Arnie Notkin, Parks and Recreation Director Tim Milian, Recording Secretary Jenorgen "Jen" Guillen. Eliana Salzhauer (7:07). A quorum was established.

Also: Julia Magnani, Gabe, Commission Liaison Martha Olchyk(7:37), Linda Miller (7:41), Michelle Kligman (7:45), Joe Graubart (7:45).

2. Approval of minutes from 12/17/12 & 2/11/13

12/17/2013-

MOTION

The Town of Surfside Parks and Recreation Advisory Committee recommended approval of the December 17, 2013 meeting minutes. Retta Logan moved, Veronica Lupinacci second. The motion passed unanimously.

2/11/2013-

MOTION

The Town of Surfside Parks and Recreation Advisory Committee recommended approval of the February 11, 2013 meeting minutes. Retta Logan moved, Doris Obregon second. The motion passed unanimously.

3. RKB Bay Harbor K-8 Center PTA Request (Julia Magnani)

Julia PTA president of the Ruth K Broad Bay Harbor School is asking support from Surfside to raise \$500,000 to upgrade the two play grounds, Basketball court and Track Field. She stated that she has met with Bay Harbor.

MOTION

The Town of Surfside Parks and Recreation Advisory Committee recommended having conversation with other communities to work on upgrading the recreational facilities at Bay Harbour Schools, and coming up with dollar figure, also including specific use agreement. Retta Logan moved, Veronica Lupinacci second. The motion passed unanimously.

4. Beach Walking Path and No Bike Signs

Resident Martha Gizarro requested for bigger signs for no bikes on the beach, resident Maria Ellen Fernandez also agreed.

MOTION

The Town of Surfside Parks and Recreation Advisory Committee recommended enforcing no bikes on the beach and put signs back up and to raise awareness and go to the Commission. Commissioner Martha Olchyk also recommended enforcing having dog's on a leash. Arnie Notkin moved, Retta Logan second. Motion passed unanimously.

5. Bully Resolution

Commissioner Michelle Kligman announced that Surfside is the first municipality in the State of Florida to have legislation for Bulling. Tim Milian stated that the committee should look at the Resolution adopted by the Commission on February 12th so the Town may start implementing the resolution.

MOTION

The Town of Surfside Parks and Recreation Advisory Committee recommended adopting the resolution to train the staff before summer on Bully. Eliana Salzhauer moved, Arnie Notkin second. The motion passed unanimously.

6. Parks and Recreation 5 Year Capital Plan

MOTION

The Town of Surfside Parks and Recreation Advisory Committee recommended on adopting the order of priority of the 5 Year Capital Plan discussed in the February 11th, 2013 meeting. Retta Logan moved, Veronica Lupinacci seconded. The motion passed unanimously.

7. Community Input

Resident Doral Lopez requested the Community Center offer the Community Adult Education Art Class sponsored by Miami-Dade. Tim Milian stated that he would research into adding the class for adult and senior art class.

Veronica Lupinacci suggested for the Community Center to improve the newsletters on participation of classes.

Resident Mauricio Rodriguez stated his main concern is the Tennis court from the 5 year capital. He stated he would like the Town to have a more structure program for Tennis and Tournaments in order not to travel from the 88th Tennis Court.

8. Meeting Adjournment

MOTION

The Town of Surfside Parks and Recreation Advisory Committee called for the adjournment of the meeting. Retta Logan moved, Veronica Lupinacci seconded. The motion passed unanimously. The meeting adjourned at 8:47 p.m.

There being no further business to come before the Committee, the meeting adjourned at 8:47 p.m.

Accepted this 29th day of April, 2013

Doris Obregon

Member (Print)

Signature

Attest:

Jenorgen Guillen
Recording Clerk



**Town of Surfside
Town Commission Meeting**

May 15, 2013

7:00 pm

Town Hall Commission Chambers - 9293 Harding Avenue, 2nd Floor
Surfside, FL 33154

RESOLUTION COVER MEMORANDUM

Title: Mayor's Climate Action Pledge

Submitted By: Daniel Dietch, Mayor

Objective: To approve the Mayor's Climate Action Pledge Resolution.

Consideration: Florida, especially coastal Florida, is vulnerable to the consequences of global climate change, and sea level rise in particular. In 2010, the counties of Broward, Miami-Dade, Monroe and Palm Beach entered into the Southeast Florida Regional Climate Change Compact to address the need for immediate, coordinated and visionary action to address the impacts of a changing climate and provide for economic and environmental resilience in Southeast Florida. An outcome of this Compact was the development of the Regional Climate Action Plan (Attachment "A" to this Resolution). The Regional Climate Action Plan provides a common integrated framework for a stronger and more resilient Southeast Florida, including:

- Providing the common framework for sustainable communities and transportation planning to be aligned across the region;
- Recognizing the need to protect and address vulnerable water supply management and infrastructure and preserve fragile natural systems and agricultural resources;
- Providing steps to move towards resilience and reducing emissions through exploring alternatives and decreasing the use of energy and fuel;
- Building upon strength as effective emergency responders and integrating climate change hazards in risk reduction and emergency management planning; and
- Providing for effective public outreach initiatives to educate the public on the consequences of climate change and providing guidance for developing and influencing public policies related to climate change.

Through acceptance and approval of this resolution, the Town of Surfside will demonstrate its commitment to and support of the Compact and the Regional Climate Action Plan.

RESOLUTION NO. 13- _____

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA (“TOWN”); ENDORSING THE MAYORS’ CLIMATE ACTION PLEDGE; AFFIRMING SUPPORT FOR THE SOUTHEAST FLORIDA REGIONAL CLIMATE CHANGE COMPACT; AGREEING TO CONSIDER IMPLEMENTING THE REGIONAL CLIMATE ACTION PLAN IN WHOLE OR IN PART AS APPROPRIATE FOR EACH MUNICIPALITY; AND URGING ALL MAYORS OF MIAMI-DADE COUNTY TO SUPPORT THE MAYORS’ CLIMATE ACTION PLEDGE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Florida is considered one of the most vulnerable areas of the country to the consequences of global climate change with Southeast Florida being at the frontline to experience the impacts of a changing climate, especially sea level rise; and

WHEREAS, in recognition of the need for immediate, coordinated and visionary action to address the impacts of a changing climate and provide for economic and environmental resilience in Southeast Florida, in 2010 the counties of Palm Beach, Broward, Miami-Dade and Monroe (Compact Partners) entered into the Southeast Florida Regional Climate Change Compact (Compact); and

WHEREAS, further recognizing the role of State water managers and local governments in this regional initiative, the South Florida Water Management District and one municipal representative from each participating county were invited to participate in this early phase; and

WHEREAS, in accordance with the Compact commitment and through a two year collaborative process involving nearly 100 subject matter experts representing public and private sectors, universities, and not-for-profit organizations, the Compact Partners developed the Regional Climate Action Plan (RCAP) (Attachment “A”); and

WHEREAS, the RCAP offers recommendations that provide the common integrated framework for a stronger and more resilient Southeast Florida, including:

- Providing the common framework for Sustainable Communities and Transportation Planning to be aligned across the region;
- Recognizing the need to protect and address vulnerable Water Supply Management and Infrastructure and preserve fragile Natural Systems and Agricultural resources;

- Providing steps to move towards resilience and reducing emissions through exploring alternatives and decreasing the use of Energy and Fuel;
- Building upon strength as effective emergency responders and integrating climate change hazards in Risk Reduction and Emergency Management Planning;
- Providing for effective Public Outreach initiatives to educate the public on the consequences of climate change and providing guidance for developing and influencing Public Policies related to climate change; and

WHEREAS, recognizing that there are more than 100 municipalities within the region that will play an important role in the implementation of the RCAP, the Compact Partners included municipalities in the development of the RCAP; and

WHEREAS, municipalities individually have been working to achieve sustainability, and the RCAP presents an opportunity to align these individual local efforts with the regional framework and vision; and

WHEREAS, municipalities play a key role in the annual Regional Climate Leadership Summits, participated in RCAP Working Groups and now is the time to solidify local government support to advance the RCAP; and

WHEREAS, the RCAP now serves as the foundation document of Climate Resilience Planning as part of the seven county Prosperity Plan in support for economic development; and

WHEREAS, the RCAP does not provide a mandate but rather serves as a living guidance document with options that each regional and local government may align to their own plans and adopt and utilize based on their interests and vision for the future; and

WHEREAS, the willingness of counties and municipalities to jointly develop and advocate for mutually beneficial agreements, policies and strategies intended to influence regional, state and national resilience efforts advances “Good Neighbor” relationships; and

WHEREAS, in 2005 the U.S. Conference of Mayors adopted the U.S. Mayors’ Climate Protection Agreement (Mayors’ Agreement) that became a national model for effective collaboration and the framework for more than 1,000 municipalities throughout the nation to take actions to reduce global warming and address the impacts of a changing climate (climate disruption); and

WHEREAS, in 2013 the need exists for Mayors within the region of Southeast Florida to collaborate on a renewed agreement that will advance regional climate action planning within Southeast Florida efforts while continuing to advance the national goals of the U.S. Mayors’ Agreement; and

WHEREAS, utilizing the U.S. Mayors’ Agreement as a model for influencing regional climate policies and effective public outreach, all municipalities throughout the Southeast Florida region are invited to sign on to the 2012 South Florida Mayor’s Climate Action Pledge and to collaborate on implementation of the RCAP starting today and for tomorrow.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. That each of the above stated recitals are hereby adopted, confirmed, and incorporated herein.

Section 2. Mayors' Climate Action Pledge Approval. The Town Commission approves and endorses the Mayors' Climate Action Pledge and affirms support for the Southeast Florida Regional Climate Change Compact.

Section 3. Authorization and Approval. The Town Mayor, Town Commission and Town Manager are hereby authorized to take all necessary steps to consider integrating the Regional Climate Action Plan framework in whole or in part as appropriate for the Surfside municipality into existing and future municipal sustainability action plans, comprehensive plans and/or climate action plans where and when appropriate and financially feasible.

Section 4. Expression of Concern. The Town Commission hereby expresses its concern and urges all Mayors within Miami-Dade County to join the Mayors' Climate Action Pledge.

Section 5. Direction to Town Clerk. The Town Clerk is hereby directed to send a certified copy of this resolution to all of the municipal clerks of Miami-Dade County.

Section 6. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this ____ day of May, 2013.

Motion by Commissioner _____, second by Commissioner _____.

FINAL VOTE ON ADOPTION

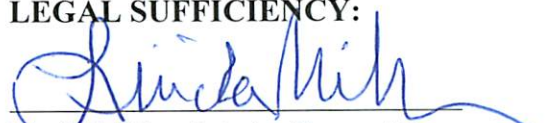
Commissioner Joseph Graubart	_____
Commissioner Michelle Kligman	_____
Commissioner Marta Olchyk	_____
Vice Mayor Michael Karukin	_____
Mayor Daniel Dietch	_____

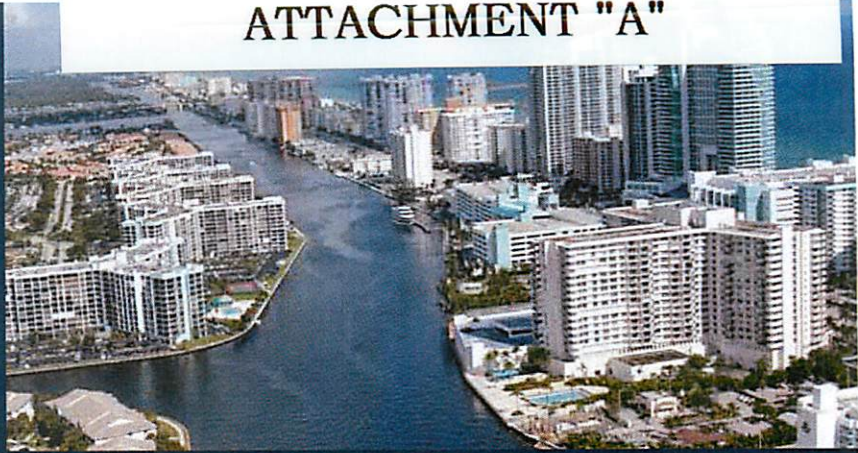
Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, CMC
Town Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**


Linda Miller, Interim Town Attorney



A Region Responds to a Changing Climate

Southeast Florida Regional Climate Change Compact Counties

Regional Climate Action Plan

October 2012





A Region Responds to a Changing Climate

Southeast Florida Regional Climate Change Compact Counties

Regional Climate Action Plan

October 2012

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ACKNOWLEDGEMENTS

This Regional Climate Action Plan is the result of true collaboration – this document and its many supporting publications are the product of existing staff and resources from the various cooperating agencies. No additional public dollars were dedicated to this effort. The Southeast Florida Regional Climate Change Compact was forged during the most difficult national economy since the Great Depression. We came together with purpose and quickly realized the value of sharing resources, expertise and information. Competitors became collaborators. Challenges became successes. At a moment when local government is pressed to achieve maximum efficiency, the Compact enabled a level of intergovernmental cooperation unprecedented in Southeast Florida's history. Many have contributed to the Compact process, including more than 90 members of the public that took the time to submit comments to a previously published draft. While several individuals are recognized here, Appendix C contains a full list of the people and organizations that helped bring this Regional Climate Action Plan to fruition.

Staff Steering Committee

Mr. Jon Van Arnam, Palm Beach County
Ms. Carrise LeJeune, City of Boynton Beach (Palm Beach County)
Dr. Jennifer Jurado, Broward County
Ms. Patti Webster, Broward County
Ms. Susanne Torriente, City of Fort Lauderdale (Broward County)
Ms. Nichole Hefty, Miami-Dade County
Mr. Mark Woerner, Miami-Dade County
Mr. Roman Gastesi, Monroe County
Mr. Michael Roberts, Monroe County
Ms. Alison Higgins, City of Key West (Monroe County)
Mr. Rod Braun, South Florida Water Management District
Ms. Kim Shugar, South Florida Water Management District (former)
Mr. Jim Murley, South Florida Regional Planning Council (ex officio)
Mr. Steve Adams, Institute for Sustainable Communities (staff)

Support and Technical Staff

Ms. Bonnie Finneran, Palm Beach County
Mr. John Reiser, Palm Beach County
Dr. Nancy Gassman, Broward County
Mr. Donald Burgess, Broward County
Ms. Debbie Griner, Miami-Dade County
Ms. Rhonda Haag, Monroe County
Mr. Kevin Wilson, Monroe County
Mr. Doug Gregory, Monroe County
Ms. Diana Umpierre, South Florida Water Management District
Dr. Jayantha Obeysekera, South Florida Water Management District
Mr. Chris Bergh, The Nature Conservancy

Joint Policy Advisory Team

Mr. Jon Van Arnam, Palm Beach County
Mr. Todd Bonlarron, Palm Beach County
Mr. Robert Robbins, Palm Beach County
Ms. Bonnie Finneran, Palm Beach County
Mr. Rich Walesky, Palm Beach County (former)
Dr. Jennifer Jurado, Broward County
Ms. Patti Webster, Broward County
Ms. Susanne Torriente, City of Fort Lauderdale
Mr. Joe Rasco, Miami-Dade County
Mr. Paul Voight, Miami-Dade County
Mr. Roman Gastesi, Monroe County
Mr. Michael Roberts, Monroe County
Mr. Rod Braun, South Florida Water Management District
Ms. Kim Shugar, South Florida Water Management District (former)

I. Executive Summary

Welcome to the first Southeast Florida Regional Climate Action Plan. The Southeast Florida Regional Climate Change Compact (Compact), a unique and collaborative effort among Palm Beach, Broward, Miami-Dade, Monroe Counties, their municipalities and partners, has worked over the past two years to develop this plan with an initial five-year horizon. The plan is a critical milestone of the Compact, entered into by Palm Beach, Broward, Miami-Dade, and Monroe Counties in January 2010. Much of the Compact's work up to this point has served to unite, organize, and assess our region through the lens of climate change in setting the stage for action. Specific accomplishments include the development of regionally-consistent methodologies for mapping sea-level rise impacts, assessing vulnerability, and understanding the sources of regional greenhouse gas emissions. Collectively, these work products provide the foundation for this Regional Climate Action Plan, which calls for concerted action in reducing greenhouse gas emissions and adapting to regional and local impacts of a changing climate. The recommendations presented here aim to accomplish those goals while also serving to protect the assets of the region's unique quality of life and economy, guiding future investments, and fostering livable, sustainable and resilient communities.

The Compact was established with a strong recognition of the region's diversity and its commonalities. It accepted the varying degrees of progress in the areas of climate change adaptation and mitigation in order to inform, to improve, and to advance regional planning efforts together. This Regional Climate Action Plan too recognizes the diversity of Southeast Florida, yet provides the common framework for **Sustainable Communities and Transportation Planning** to be aligned across the region, as implemented. Inevitably this will occur at various stages and varying degrees, but with the benefit of working within a regional context. This is Southeast Florida, with all its uniqueness; the plan recognizes the need to protect and address our vulnerable **Water Supply, Management and Infrastructure** and preserve our fragile **Natural Systems and Agricultural** resources. The plan provides for steps to move toward resilience and reduce emissions through exploring alternatives and decreasing our use of **Energy and Fuel**. The plan builds upon our strength as effective emergency responders and integrates climate change hazards in **Risk Reduction and Emergency Management** planning. Finally, the Regional Climate Action Plan creates a common vocabulary for **Outreach and Public Policy** development to effectively communicate the steps from risk to resilience with the general public, voters, elected officials and decision makers in Southeast Florida, the state and the nation.

The specific recommendations put forth in this plan were developed through a collaborative process involving nearly 100 subject matter experts from a host of professions representing the

Southeast Florida is considered one of the most vulnerable areas to climate change and sea level rise.

public and private sectors, area universities, and not-for-profit organizations. These stakeholders brought to the table the knowledge of their “craft” as well as information on successful initiatives already underway locally or in other communities. Many of the recommendations build upon best practices sprinkled throughout our region, such as regional collaboration on transportation planning and land use criteria that foster walkable and healthy communities. Others delve into “new” frontiers in calling for the integration of climate change into planning and decision-making processes in ways that no local government has yet implemented.

The overall objective was and remains to integrate climate adaptation and mitigation into existing decision-making systems and to develop a plan that can be implemented through existing local and regional agencies, processes and organizations. It is in that spirit that this plan provides the common integrated framework for a stronger and more resilient Southeast Florida starting today and for tomorrow.

The 110 action items detailed in the plan’s seven goal areas are to be accomplished over the next five years with annual reports to mark progress. The policy recommendations will be implemented through several approaches including:

- **existing legal structures**, planning and decision-making processes;
- the development of **new policy guiding documents** by local and regional governing bodies; the development of **operational guidance documents**;
- the development of **consistent goals and progress indicators** throughout the various governments in the region;
- a coordinated **multi-disciplinary outreach and education program**; and
- processes for **focused and prioritized investments**



Every organization in the region has a role to play in making Southeast Florida a resilient and sustainable community of communities.

II. Introduction and Background: Southeast Florida Climate Change Compact Guidance for Regional Policy and Planning

Southeast Florida is considered one of the most vulnerable areas to climate change and sea level rise. In the spring of 2009, several Southeast Florida counties and cities were making the rounds in the halls of Congress to advocate for climate policy. A great deal of work had been invested individually by each jurisdiction; however, each had slightly different baseline emissions figures at different points of time and different sea level rise planning scenarios. The need for regional coordination became quite evident. With 5.6 million residents within the geographic boundaries of the four counties as of the 2010 Census, exceeding the population of 30 states and representing 30 percent of Florida's population and Gross Domestic Product, there is an obvious and unique strength in the region's size and in numbers. That realization paved the way for a unique arrangement – the Compact – a voluntary and cooperative partnership among governing bodies to tackle one of, if not the most important issue facing our generation. This targeted and focused collaborative is the vision and framework for regional resilience. It respects the diversity of the region and the autonomy of the many governing bodies.

The Compact began with a commitment among elected officials representing each of the four counties to return to Southeast Florida and to coordinate in the hosting of a regional climate summit. The Summit would serve as a platform for broader discussion among county and municipal elected officials and the community as to the pressures and challenges that climate change poses for Southeast Florida with a call for unified action. Just four months later, their vision began to take shape when the four County Commissions jointly held the 2009 Regional Climate Leadership Summit. This first Regional Summit led to the ratification of the Southeast Florida Regional Climate Change Compact by January 2010, with unanimous votes within each County Commission (Appendix A). Since adoption, the Counties have assigned existing staff resources to support implementation of the Compact under the direction of a Compact Staff Steering Committee.

The Compact Staff Steering Committee is comprised of two staff members from each county, one municipal representative from each county and a non-voting member from the South Florida Water Management District who was invited to participate. Municipal members represent the cities of Fort Lauderdale, Key West and Boynton Beach. The Compact Staff Steering Committee is a small, core group of professional staff engaged in this process since 2009.

The Compact commitments include:

- Joint legislative policy development;
- Development of a regional greenhouse gas (GHG) baseline;
- Development of regionally consistent sea level rise projections for the coming decades;
- Development of Preliminary Inundation Mapping;
- Development of a Regional Climate Action Plan; and
- Coordination of Annual Leadership Summits.



The regional scale of the resilience strategies effectively integrate human and natural systems

The Compact paved the way for early work in 2010 to develop the unified regional baseline and sea level rise planning scenarios. Summaries of these work products are provided in Section IV. This early work served as the foundation for the development of this regional framework through three Work Groups: Built Environment, Transportation, and Land and Natural Systems. These Work Groups were chaired by Staff Steering Committee members and expanded to include local and regional experts from the public and private sectors and academia.

III. Compact Awards and Recognitions

Since adoption, the Compact has won recognition through awards from ICLEI and the National Association of Counties, a requested white paper from the White House Domestic Policy Council, a request to host a listening session for the White House Council on Environmental Quality's (CEQ) Interagency Adaptation Task Force, and specific references within the Task Force's Final Report to the president. Subsequent federal agency engagement in the Compact has been highlighted in CEQ reports to the president, including the most recent Task Force report submitted in October 2011.

IV. Compact Work Completed

The adoption of the Compact initiated an ambitious schedule requiring the completion of a robust body of work leading to this Regional Climate Action Plan. Since Compact adoption in January 2010, the four Compact Counties have completed the following:

a. Policy and Advocacy

Sections 1 – 4 of the Compact Resolution commit the Compact Counties to develop joint climate and energy-related policy positions and advocacy strategies to influence state and federal legislation. Specifically, provisions of the Compact call for urging Congress to pass legislation that: recognizes the unique vulnerabilities of Southeast Florida to climate change impacts, especially sea level rise; allocates federal climate change funding based on vulnerabilities; designates areas of Southeast Florida as uniquely vulnerable and of federal interest for the purpose of securing enhanced levels of federal participation in regional adaptation projects; and supports strengthening policies relating to global climate change.

Since the ratification of the Compact, the Compact partners have advanced policy and advocacy goals through joint positions, resolutions, letters and funding proposals and advocacy in Tallahassee and Washington, D.C. In addition, during the 111th and 112th sessions of the United States Congress, the Compact partners collaborated in the submittal of a *joint Climate Adaptation Pilot Project Proposal*, a funding request to support regional hydrologic modeling needed to guide adaptation planning in response to projected sea level rise. In May 2010, elected officials and other leaders representing the Compact Counties jointly advocated in Washington, D.C. to highlight the region's vulnerabilities and needs related to climate change impacts, to seek support for greater recognition of adaptation strategies in federal climate policies and for the appropriations of projects such as the regional Pilot Project.

On June 24, 2010, in response to the Deepwater Horizon Oil Spill that threatened the region's environment and economy, the Compact Counties conducted a well-attended conference calling for comprehensive federal energy policy and protection of Florida's state and federal waters from the impact of oil drilling. In concert with local municipalities and Leagues of Cities, the event produced the Southeast Florida Response to Deepwater Horizon Oil Spill Letter to President Obama and resolutions in support for comprehensive climate legislation, restoration of damages due to the oil spill and for a ban on oil drilling within Florida's Territorial Waters.

As a centerpiece of the Compact Counties' commitment to developing regional legislative policies and advocacy strategies, the Compact Counties adopted the 2011 and 2012 *Southeast Florida State and Federal Energy and Climate Legislative Programs* and utilized these programs as the basis of joint advocacy to Congress and the Florida Legislature. The 2011/12 State and Federal Legislative Programs include support for:

- the Southeast Florida Climate Adaptation Pilot Project Proposal;
- providing a definition of "Adaptation Action Areas (AAA)" in state law;
- greater recognition of adaptation as a critical climate strategy;
- adopting a State Renewable Energy Portfolio Standard of 20 percent renewable energy by 2020;
- federal legislation to create and fund new infrastructure programs to assist local governments in adapting to the impacts of sea level rise;
- federal recognition of AAA's for the purpose of funding infrastructure vulnerable to sea level rise
- removing federal barriers to Property Assessed Clean Energy (PACE) and PACE-like programs, posed by the Federal Housing Finance Agency, to encourage energy efficiency and renewable energy improvements for residential homes and commercial buildings; and
- opposing oil drilling in federal waters on Florida's Outer Continental Shelf and the Everglades.

*The plan is
a critical
milestone of the
Compact ...*

*... a vision and
framework
for regional
resilience.*



The four County Commissions jointly held the first Regional Climate Leadership Summit in 2009.

Utilizing the Compact Counties' Legislative Programs as guidance during the 2011 Florida Legislative Session, the Compact Counties were successful in helping to amend state law to reflect priority policy goals. The regional partners helped draft and led efforts to provide for a designation of "Adaptation Action Areas"

in Florida's growth management laws, thus creating a new tool for local governments to identify areas vulnerable to coastal flooding resulting from the impacts of sea level rise and to prioritize infrastructure improvements and funding for improved resilience. Immediately following changes to

state law, a Members Letter was signed by several members of Florida's Congressional Delegation requesting support for defining AAA in federal law. Subsequent to the Members Letter, the Compact Counties' lobbyists and Delegation Members have requested the inclusion of language enabling at-risk, multi county regions impacted by sea level rise to qualify for 2012 Energy and Water Appropriations. During the 2012 Florida Legislative Session the Compact Counties were successful in helping to amend the Florida Energy Act to provide for commercial buildings to qualify for energy efficiency program funding through the Local Option Sales Tax.

The Regional Climate Action Plan contains actionable recommendations related to public policy and outreach in recognition of the fact that a continued commitment to collaborate with local, state and federal policy makers, as well as the non-profit and private sectors, is fundamental to long-term success of the Compact. Additionally, the continued and enhanced role of policy advocacy through regional collaboration, especially during tumultuous economic and political times, are important to ensure that current efforts are not undermined and the Compact Counties' future efforts related to sustainability are achieved.

b. A Baseline of Greenhouse Gas Emissions for Southeast Florida

Prior to the Compact, many jurisdictions within Southeast Florida had completed emission inventories using a variety of baseline years. The Compact called for the identification and quantification of Greenhouse Gas (GHG) emissions across Southeast Florida "with a particular focus on emissions from inter-county travel and commerce." Consistent with this charge, staff estimated GHG emissions resulting from an inventory of select sectors – transportation and the built environment divided into residential, commercial and industrial subsectors – using the ICLEI International Local Government Emissions Analysis Protocol (IEAP) within the ICLEI Clean Air and Climate Protection 2009 (CACP 2009) software. "Non-regional" emissions such as the waste sector (including landfill and wastewater treatment) and local government operations were not included as they were deemed to be primarily under the control of individual jurisdictions. Other sectors such as natural areas and agriculture (including their carbon sequestration or "sink" capacity) were not included here due to lack of local information.

As emissions track closely with economic output and as this analysis was initiated during the most significant economic downturn since the 1930s, staff decided to inventory annual emissions for each year from 2005 through 2009 (five full years) and average the results for each sector over those five years for use as a future baseline. By doing so, the inventory averages contain years of both high growth and contraction. The full Regional Inventory report is included as a supporting document to the Regional Climate Action Plan process.

The transportation sector is the largest single source of regional emissions.



Residential and commercial building are jointly responsible for 54 percent of regional emissions.

Southeast Florida peaked in total GHG emissions in 2006 and declined in the following three years, consistent with the performance of the national economy during this period (Table 1). The relative emissions contribution of each County to the aggregated regional emissions reflects population and size.

Table 1: Regional Emissions by County (MMTCO₂e)

County	2005	2006	2007	2008	2009
Broward	22,655,421	22,657,880	21,921,832	21,216,712	20,810,719
Miami-Dade	28,715,847	29,058,677	27,832,307	27,057,988	26,859,326
Monroe	1,504,047	1,532,500	1,465,634	1,408,288	1,417,206
Palm Beach	16,588,536	16,658,369	15,920,070	15,785,752	15,675,174
Regional Sources	254,537	250,984	237,691	222,113	155,359
Totals	69,718,390	70,158,412	67,377,537	65,690,854	64,917,785

Regional emissions, across all sectors examined, were approximately 64.9 million metric tonnes of carbon dioxide equivalent (MMTCO₂e) in 2009, down from 69.7 MMTCO₂e in 2005. The five-year average of emissions (67.6 MMTCO₂e) shows that the transportation sector is the largest single source of regional emissions. The Residential and Commercial buildings sectors jointly contribute 54 percent to regional emission (Table 2).

Table 2: Regional Emissions by Sector (MMTCO₂e)

Sector	2005	2006	2007	2008	2009	Five Yr Avg
Residential	19,963,638	19,989,441	18,685,833	18,186,886	18,237,990	19,012,757
Commercial	17,884,892	18,212,352	17,356,620	17,314,930	17,083,809	17,570,521
Industrial	1,075,979	1,103,572	961,883	888,111	811,016	968,112
Transportation	30,793,879	30,853,046	30,373,200	29,300,926	28,784,969	30,021,204
Totals	69,718,390	70,158,412	67,377,537	65,690,854	64,917,785	67,572,596

c. Unified Sea Level Rise Projection

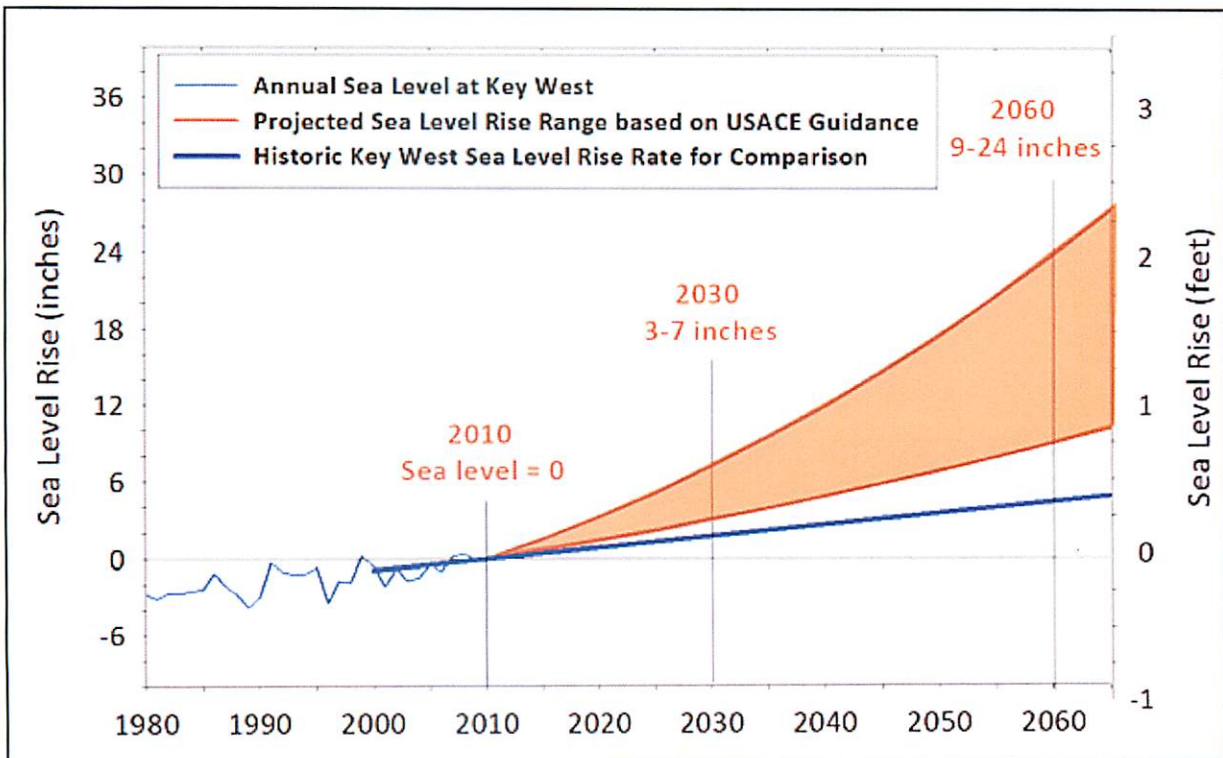


Figure 1: Unified Southeast Florida Sea Level Rise Projection for Regional Planning Purposes. This projection uses historic tidal information from Key West and was calculated by Kristopher Esterson from the United States Army Corps of Engineers using USACE Guidance (USACE 2009) intermediate and high curves to represent the lower and upper bound for projected sea level rise in Southeast Florida. Sea level measured in Key West over the past several decades is shown. The rate of sea level rise from Key West over the period of 1913 to 1999 is extrapolated to show how the historic rate compares to projected rates. Methods are described in a supporting document, “A Unified Sea Level Rise Projection for Southeast Florida” available online at: southeastfloridacclimatecompact.org.

At the first Regional Climate Leadership Summit, the local diversity in sea level rise (SLR) projections was highlighted as a concern, and a barrier, to achieving regionally consistent adaptation policies and demonstrating a coordinated local effort to higher decision-making levels. Following the summit, the Compact Staff Steering Committee recognized the critical need to unify the existing local SLR projections to create a single regional SLR projection. Key participants in developing the existing projections and other local scientists specializing in the areas of sea level rise and climate change were invited to participate as the Regional Climate Change Compact Technical Ad hoc Work Group (Work Group). Their objective was to work toward developing a unified SLR projection for the Southeast Florida region for use by the Compact Counties and partners for planning purposes to aid in understanding potential vulnerabilities and to provide a basis for outlining adaptation strategies for the region.

Through a series of facilitated discussions, the Work Group reviewed the existing projections and the current scientific literature related to SLR with particular emphasis on the impact of accelerating ice melt on projections. The Work Group recommended that the SLR projection be based on the United States Army Corp of Engineers (USACE) July 2009 Guidance Document until more definitive information on future SLR is available. The projection uses Key West tidal data from 1913-1999 as the foundation of the calculation and references the year 2010 as the starting date of the projection. Two key planning horizons are highlighted: 2030 when SLR is projected to be 3-7 inches and 2060 when SLR is projected to be 9-24 inches. Based on the projection, a SLR of one foot is projected to occur between 2040 and 2070 with sea level continuing to rise into the future. Due to the rapidly changing body of scientific literature on this topic, the Work Group recommended that the projection be reviewed and possibly revised four years from final approval by the Compact Staff Steering Committee and after the release of United Nations Intergovernmental Panel on Climate Change Fifth Assessment Report. “A Unified Sea Level Rise Projection for Southeast Florida” White Paper is available as a supporting document to this Regional Climate Action Plan.

Mapping different SLR inundation scenarios helps to identify areas at potential risk and aids in planning for adaptation strategies.

d. Inundation Mapping and Vulnerability Assessment of Areas at Risk by Sea Level Rise

Southeast Florida is highly vulnerable to SLR due to its peninsular geography and low topography. Mapping different SLR inundation scenarios helps to identify areas at potential risk and aids in planning for adaptation strategies. The Compact Inundation Mapping and Vulnerability Assessment Work Group was formed to perform a regional vulnerability assessment. Geographic Information System (GIS)



practitioners, representing the Compact Counties as well as the South Florida Water Management District (SFWMD), local universities and federal agencies, worked with National Oceanographic and Atmospheric Administration (NOAA) Coastal Services Center (CSC) experts to understand inundation mapping methodologies, define the local challenges, review available topographic

source data and create a consensus set of methods and criteria for inundation mapping. Additional discussions, surveys and workshops were used to develop planning parameters that would be part of the regional SLR vulnerability assessment. Using these commonly agreed-to parameters and data sources, the SFWMD produced inundation layers to represent areas potentially vulnerable to one-, two- and three-foot SLR scenarios. These layers were used by each of the four Compact Counties to perform a vulnerability assessment for their jurisdiction. See the supporting publication for the County level assessments and detailed methods for inundation mapping and the vulnerability analyses.

This understanding of a likely future allows us to take action now to protect assets and invest wisely.

All of the Compact Counties are vulnerable to SLR. However, the degree and extent of potential impacts vary across the region due to differences in land elevation and geomorphology. The southernmost counties are expected to experience the greatest direct impacts, with lessening impacts as one travels northward. Nearly 80 percent of the lands potentially affected regionally in the one-foot scenario are conservation lands, especially coastal wetlands. Low lying natural systems made up of buttonwood, mangrove, scrub mangrove, and herbaceous coastal saline and freshwater wetlands are significantly impacted in all SLR scenarios. The upper estimate of current taxable property values in Monroe, Broward, and Palm Beach Counties vulnerable in the one-foot scenario is \$4 billion with values rising to more than \$31 billion at the three-foot scenario. The greater values reflected in the financial impacts are coastal residential properties with ocean access and high taxable value.

In terms of the critical infrastructure reviewed, projected inundation is often confined to marginal areas of the properties or impacting existing drainage infrastructure on site. This is generally true for the region's ports, airports, schools, landfills and hospitals. Monroe County is the exception with predicted building and infrastructure damage to these critical resources especially at the two

Taxable property value vulnerable in the one-foot SLR scenario is \$4 billion ...



...with values rising to more than \$31 billion at the three-foot SLR scenario.

and three-foot SLR scenarios. Three of Monroe's four hospitals, 65 percent of schools and 71 percent of emergency shelters are located on property at elevations below sea level at the one-foot scenario. Power plant properties in Miami-Dade and Broward as well as energy transmission facilities in Monroe begin to become inundated at the one-foot scenario. While railroads are negligibly impacted, more than 81 miles of roadway from Miami-Dade through Palm Beach are impacted at the one-foot scenario, increasing to more than 893 miles at the three-foot scenario.

The intent of the GIS-based analysis conducted by the Compact Work Group was to provide a preliminary assessment of sea level rise vulnerabilities for regional planning and policymaking purposes. This analysis did not include other possible impacts associated with sea level rise that require more complex modeling efforts, or indirect impacts, such as delineating what properties may become less accessible due to inundated roadways. Despite these limitations, the GIS-based vulnerability assessment conducted by the Compact Work Group serves to identify areas of potential concern for regional planning of adaptation strategies. It also highlights the need for continued mitigation of greenhouse gas emissions as a means to reduce future sea level rise impacts.

To prepare Southeast Florida for the likely impacts of sea level rise estimated by the vulnerability assessment, cooperation is vital, not only among the Compact Counties, but also among the municipalities, local, regional, state and federal agencies serving the region. Strengthening this regional effort will be critical in order to coordinate public policies and adaptation measures that ensure the region's sustainability and economic growth

V. Southeast Florida Regional Climate Action Plan Planning Process

Members of the Compact Staff Steering Committee and representatives of numerous federal, state, and county agency partners met in February 2011 for a workshop to review the work completed to date and plan a course of action going forward. Workshop participants brainstormed issues including the scope of the Regional Climate Action Plan, criteria to select priority issues, defining regional versus local efforts, areas of expertise needed in issue specific work groups and how best to separate issue areas to be examined into logical, workable groupings. Also discussed were the timeline for the planning process and how to incorporate feedback from the Compact Staff Steering Committee and other stakeholders.

The Compact Staff Steering Committee organized three work groups to develop specific recommendations for reducing GHG emissions and building climate resilience across the region.

The three work groups, **Built Environment, Transportation, and Land and Natural Systems** were designed to bring local experts with differing work experiences and areas of responsibility together to share knowledge and expertise. Each work group consisted of more than 30 individuals from all parts of the four-county region, listed in Appendix C. Work group participants included representatives of academia, non-profits, the private sector and all levels of government. After several work sessions, surveys and much correspondence, draft recommendations were presented to the Compact Staff Steering Committee at a July 2011 workshop. After review and comment, the Compact Staff Steering Committee provided guidance to the three work groups in finalizing the strategies to be included in the Regional Climate Action Plan and convened a “Super Committee” to address three cross-cutting issues that emerged separately from the work groups. The full extent of recommendations from each work group is available as a supporting publication.

Every organization in the region has a role to play in making Southeast Florida a resilient and sustainable community of communities.

Structure of the Regional Climate Action Plan

To further review, consolidate, and categorize the numerous recommendations, the Super Committee was created consisting of key representatives from each Work Group, the Work Group chairs, and representative County staff. The Super Committee worked to consolidate the recommendations into seven categories, including:

- Sustainable Communities and Transportation Planning
- Water Supply, Management and Infrastructure
- Natural Systems
- Agriculture
- Energy and Fuel
- Risk Reduction and Emergency Management and
- Outreach and Public Policy

The definition of each category and the recommendations are detailed as the Regional Climate Action Plan.

The draft Regional Climate Action Plan was released at the third annual Regional Climate Leadership Summit held in Key Largo on December 8 and 9, 2011. The Compact Staff Steering Committee aggressively sought public input and feedback from December through March 2012.

During this time, many public presentations on the draft plan and the Regional Compact were delivered throughout the region. Officially, 105 distinct comments were received through the Compact website from 91 individuals. All comments were reviewed by the Compact Staff Steering Committee and the Work Group Chairs. Since many comments were focused on the details of implementation, those thoughts and ideas are captured in the Implementation Guide that is published as a companion resource to the Regional Climate Action Plan. This public comment period resulted in a more robust regional document.

RCAP ... Regional and Municipal Government Collaboration and Shared Implementation

The Southeast Florida Regional Climate Change Compact emerged in 2009 as a collaborative venture among Palm Beach, Broward, Miami-Dade and Monroe Counties and as such, served as the impetus for creating a common framework for climate change mitigation and adaptation strategies throughout the Southeast Florida region. This initial effort for the Compact Counties to collaborate on a regional scale, proved to be an important first step in gaining public and political support required for the advancement of this comprehensive planning initiative. Early on, municipal government engagement and commitment was also recognized as critically important to the success of the Compact.

There are more than 100 local city governments in the region, each at varying stages of climate mitigation and adaptation planning and implementation. To formally begin collaborative efforts among local governments, the Compact Counties



met jointly with municipal government representatives at the Second Annual Climate Leadership Summit in 2010. More recently, the Compact Staff Steering Committee membership was expanded with municipal representation to ensure involvement of cities in the drafting of the Regional Climate Action Plan. Successful implementation of the Regional Climate Action Plan strategies requires this continued collaboration.

In the forthcoming years, the Compact Counties expect to build coalitions with more municipalities, the various Leagues of Cities, special districts and other governmental entities, including the Treasure Coast counties participating in the Seven50 Sustainable Communities Initiative.

The Compact Counties and municipal partners are committed to the implementation of the Regional Climate Action Plan. Of course, implementation strategies must be sensitive to the different governance structures of counties and municipalities. Because of the variances in government structures, management policies, land use authorities, charters (where present), and the political environments of member counties and municipalities, implementation is expected to take on different forms. This Plan should be viewed as a framework to help guide policies and projects and implementation must be flexible to address specific local conditions.

It is also important to emphasize that the Regional Climate Action Plan does not provide a mandate for any county or municipal actions, but rather serves as a living document with options that each regional or local government may adopt and utilize based on their interests and vision for the future. Over time, this document will be enhanced as more data becomes available, scientific projections are refined, and best management practices are developed and tested.

The success of the planning efforts thus far is a testament to the political leadership and staff dedication to Southeast Florida. We recognize that by combining our efforts and resources, we are in a better position moving forward. The Compact is at an important turning point. As each partner continues to implement different initiatives, at its own pace and within the context of each individual entity, these individual steps will lead to collective results for a more resilient region. Join us, no step is too big or too small.

VI. Regional Plan Recommendations

The following recommendations are the result of much labor by many individuals and organizations dedicated to a more sustainable and resilient Southeast Florida. The 110 actionable recommendations presented here form the core of Southeast Florida's first Regional Climate Action Plan. These measures draw from and build upon the experience of each partner gained prior to regional collaboration. Some, therefore, are familiar requiring only additional partners for differing scales of implementation. Others are new and designed specifically to address the challenges that become evident through a regional perspective. The Compact Staff Steering Committee has produced a companion document, titled the *Regional Climate Action Plan Implementation Guide*, to provide further insight and guidance on how each of these recommendations can be put to work for Southeast Florida. The Regional Climate Action Plan Implementation Guide is available online at: southeastfloridacclimatecompact.org/.

Sustainable Communities and Transportation Planning

With the establishment of a Unified SLR Projection and the Preliminary Vulnerability Analysis, the picture of the likely future of our region is coming into focus. While the specific conditions at a given point in the future are impossible to predict, the range of potential future conditions has been defined based upon the best available science which includes an agreed upon level of uncertainty. This understanding of a likely future allows us to take action now to protect assets and invest wisely. As the science, monitoring, and modeling of impacts continue to be refined, this area of the plan recommends actions to integrate climate change consideration into existing and future policy decision making processes and municipal and county Comprehensive Plans with the goal to achieve resilience, reduce risk and further greenhouse gas emissions reductions.

As one of many tools available in the comprehensive planning process, this section includes several recommendations addressing the designation and implementation of Adaptation Action Areas which are expected to aid in focusing technical assistance and funding opportunities to areas most vulnerable to the impacts of sea level rise and coastal flooding. In 2011, the Florida Legislature amended state law to provide for Adaptation Action Areas as an optional designation in local comprehensive plans for those identified areas experiencing coastal flooding due to extreme high tides and storm surge and the related impacts of sea level rise. The law also provides for the development of adaptation policies and will maximize funding opportunities for infrastructure needs associated with Adaptation Action Areas. Subsequent to recent changes to state law, members of Congress have since requested the definition of Adaptation Action Areas in federal law to provide for appropriations for adaptation planning and infrastructure needs in designated areas. It is realistic to believe that future funding opportunities will become available through federal and state appropriations and grants for Adaptation Action Areas or areas similarly designated for adaptation planning.



Sustainable Communities

GOAL: Reduce financial and physical losses in our building stock by reshaping where and how we build.

SP-1 Support implementation of the Regional Climate Action Plan by including

recommendations from the Plan into existing land use and policy decisions and related elements of the municipal and county Comprehensive Plans, as appropriate; and recognize the Plan as a basis for the development of new goals, objectives and policies through the appropriate local government Comprehensive Plans.

- SP-2 Develop policies, strategies and standards that will serve as guidance for climate change related planning efforts. Municipal and county planning authorities are encouraged to develop policies to improve resilience to coastal and inland flooding, salt water intrusion, and other related impacts of climate change and sea level rise in their Comprehensive Plans, Sustainability Action Plans, Vision Plans, Stormwater Master Plans, Transit Development Plans, Long Range Transportation Plans, Adaptation Action Area Plans, Climate Change Plans and other green planning efforts.
- SP-3 Incorporate “Adaption Action Area” definition (as provided for in Florida law) into municipal and/or county Comprehensive Plans, to provide a means to identify those areas deemed most vulnerable to sea level rise and other climate change impacts including but not limited to extreme high tides, heavy local rain events, and storm surge for the purpose of prioritized funding and adaptation planning.
- SP-4 Develop criteria in collaboration with municipal and county planning authorities for the purpose of defining Adaptation Action Areas as well as other areas requiring adaptation improvements related to coastal flooding and sea level rise that may include, but not be limited to:
- Areas below, at, or near mean higher high water;
 - Areas which have a hydrological connection to coastal waters;
 - Areas designated as evacuation zones for storm surge; and/or
 - Other areas impacted by climate related drainage/flood control issues.



- SP-5 Conduct new or utilize existing vulnerability analysis and other technical tools as they are developed as a means for identifying Adaptation Action Areas as well as other areas requiring adaptation improvements related to coastal flooding and sea level rise, to provide guidance for adaptation planning efforts in areas especially at risk to sea level rise, tidal flooding and other related impacts of climate change.
- SP-6 Develop policies, as provided for in Florida law and in collaboration with the appropriate municipal and county planning authorities, related to areas designated as Adaptation Action Areas or similarly vulnerable areas to improve resilience to coastal flooding, sea level rise and other climate related vulnerabilities and provide guidance for other adaptation planning efforts.
- SP-7 Develop sea level rise scenario maps to be considered for inclusion in appropriate Comprehensive Plans and/or regional planning documents as determined by the appropriate local government to guide municipal and county government climate adaptation planning efforts and continue to update regional and local planning efforts as more data becomes available and scientific projections are refined.
- SP-8 Identify locations within Adaptation Action Areas or similarly vulnerable areas where targeted infrastructure improvements, new infrastructure, or modified land use and/or development practices could reduce vulnerability and/or improve community resilience.
- SP-9 Coordinate regionally across municipalities and county planning authorities on the development of projects and funding proposals to seek prioritized funding for identified infrastructure needs and specific adaptation improvements required within Adaptation Action Area or other related adaptation planning areas.
- SP-10 Work with appropriate local, regional and state authorities to revise building codes and land development regulations to discourage new development or post-disaster redevelopment in vulnerable areas to reduce future risk and economic losses associated with sea level rise and flooding. In these areas, require vulnerability reduction measures for all new construction, redevelopment and infrastructure such as additional hardening, higher floor elevations or incorporation of natural infrastructure for increased resilience.
- SP-11 Identify within Adaptation Action Areas and similarly impacted areas populations and communities most vulnerable or of special concern for the purpose of ensuring the

proper consideration of individual needs and resources as part of local and regional planning activities.

- SP-12 Develop new community flood maps reflective of a 100-year storm event under future sea level rise scenarios and use this information, in conjunction with similarly updated storm surge models for revising required elevations for new and redevelopment, and in the permitting/licensing of transportation projects, water management systems, and public infrastructure.
- SP-13 Designate or otherwise recognize “Restoration Areas” to identify undeveloped areas that are vulnerable to climate change impacts for the purpose of environmental restoration, dune restoration, agriculture, conservation of natural resources or recreational open space, or as stormwater retention areas. Local governments and appropriate regional planning authorities should prioritize land acquisition in these areas. These areas could also be established or acquired through mitigation or transfer-of-development rights initiatives.
- SP-14 Designate or otherwise recognize “Growth Areas” as areas outside of Adaptation Action Areas, or other areas subject to adaptation planning efforts, where growth is encouraged due to higher topographic elevation and the presence of existing infrastructure, such as transportation and water and sewer infrastructure. Growth Areas should be developed with Urban Design guidelines that address character of urban place and provide a high quality pedestrian experience through landscaping and the creation of public space.
- SP-15 Modify or develop new design standards for transportation infrastructure located in identified vulnerable areas to include environmentally supportive road materials, bridge design, elevation, and stormwater management. Include different pitches combined with stormwater design to effectively remove water from the roadway; explore roadway materials that may be utilized in road construction that are more tolerant of extended periods of extreme temperatures.
- SP-16 Develop policies to address new transportation infrastructure development in light of anticipated future climate impacts, such as consideration of future floodplain conditions and vulnerable areas which could require the rerouting of roads because of potential flooding and related damage.

- SP-17 Analyze potential blighted sites and develop an approach for converting underutilized or unused properties and structures, including properties in financial distress, into community gardens or farmers' markets. (i.e., Redfields to Greenfields)

Transportation Planning



More than 100 entities in the four-county region exercise governance over transportation planning, operation, and investment decisions.

The transportation sector contributes 45 percent of the region's greenhouse gas emissions, with the majority of trips taken for family and personal purposes in single occupancy vehicles. Reducing vehicle miles traveled (VMT), which reduces emissions, can be achieved by shifting trips taken in the personal vehicle to walking, biking, and public transportation, and shortening or avoiding trips altogether through community design and sustainable development strategies. Recent studies demonstrate the significant impact this approach

can have on avoiding greenhouse gas emissions - estimating that the five "Ds" of compact development – density, diversity, design, destination and distance to transit – are expected to reduce VMT by 12 to 18 percent (Urban Land Institute). Clearly, the success of this reduction is dependent on the extent and timing of implementation. While recommendations in this area call for increased funding for mobility solutions that achieve a reduction in greenhouse gas emissions and also increase the livability and economic strength of the region by reducing our dependence on the personal vehicle, others focus on more immediate strategic service improvements as well as initiatives to attract individuals who could drive their cars but who choose to ride transit or share a ride because of the conveniences and other benefits represented by these choices.

More than 100 entities in the four-county region, including municipalities, county and state governments, metropolitan planning organizations, and regional planning bodies, exercise governance over transportation planning, operation, and investment decisions. A continued and expanded collaborative approach to these activities will be a cornerstone to implementing these recommendations that not only serve to reduce greenhouse gas emissions but will realize cross-cutting benefits of more livable and desirable communities within our region.

GOAL: Reduce greenhouse gas emissions by planning, designing, and prioritizing walkable, affordable communities supported by sustainable multimodal transportation options.

- SP-18 Identify means to effectively engage the multiple public and private sector entities with roles and responsibilities involving the provision and maintenance of transportation infrastructure and the delivery of transportation services in the region, in climate adaptation and mitigation initiatives. Document current and evolving coordination efforts among these entities.
- SP-19 Focus transportation investments and service expansions on projects and strategies contributing to greenhouse gas emissions reductions and enhancing resilience to climate change.
- a. Continue to enhance and implement regionally coordinated transportation planning through the Regional Long Range Transportation Plan (RLRTP). Identify goals and objectives in the RLRTP which, as they are attained, reinforce the desired achievement of greenhouse gas emissions reductions and enhanced resilience to climate change. Articulate the supportive role of these goals and objectives for emissions reductions and climate resilience.
 - b. Give higher investment priority to and advocate for state and federal transportation infrastructure investments, programs and services that will reduce greenhouse gas emissions and enhance resilience and adaptability to climate change. Performance standards for climate and related metrics, such as reduced VMT and increased mode split, should be incorporated in transportation plans and programs. Transportation planning should include performance measures¹ in major decision-making phases such as land use visioning, long range transportation plans, corridor studies, programming, environmental review, and performance monitoring.
 - c. Incorporate evaluation criteria and processes to prioritize projects that meet RLRTP goals and objectives — into local and regional planning and programming processes — with an initial emphasis on evaluation criteria that reduce VMT and increase use of transportation modes other than the personal vehicle. Projects that enhance economic vitality should also be given priority, such as projects and service expansions along transit-oriented corridors and those that improve connections to major airports and seaports.
 - d. Prioritize studies funded through existing programs and other sources addressing effective climate adaptation and mitigation strategies, particularly those addressing barriers to adaptation and assisting in integrating land use and transportation planning.

- e. Improve coordination among economic development, land-use/housing, transportation and water resource planning activities. Review local and regional planning and decision making processes to ensure a complementary approach toward developing and maintaining a transportation network, including for purposes of reducing VMT and providing more transportation choices.
- SP-20 Require that new development and redevelopment in areas with existing and planned multimodal corridors that connect urban and other centers in the region be planned and designed to support walking, biking and transit use.
- SP-21 Support effective planning and implementation of transit oriented developments (TODs)², from both a local and regional scale, in coordination with effective planning and delivery of transit services, particularly transit stations³, to maximize ridership.
- a. Recognize that planning for TOD requires consideration of transit and land use issues at the system, corridor and station levels, as well as evaluation of adequate infrastructure such as water and sewer mains.
 - b. Develop policies to streamline approval processes involving TODs.
 - c. Ensure equitable distribution of the benefits of TOD and premium type transit services.
- SP-22 Introduce a new activity-based regional travel demand forecast model to directly simulate individual trip making and mode choice behaviors. Simulations done using the model will allow for robust tests of the effectiveness of policy alternatives.
- SP-23 Consider regional implementation of rapid transit zones to maintain land use control around a station with multiple jurisdictions. Modify local land use plans and ordinances to support compact development patterns, creating more walkable and affordable communities.

¹One example of incorporating sustainable transportation performance measures into existing planning processes is: *Environmental Protection Agency's Guide to Sustainable Transportation Performance Measures (EPA 231-K-10-004, August 2011)*.

²Transit oriented developments (TODs) are compact moderate to high intensity and density mixed use areas, within one-half mile of transit stations, designed to maximize walking trips and access to transit.

³A transit station in this context means one serving a premium type of transit including commuter rail, light rail, express bus service such as the 95 Express Bus, bus rapid transit service (as defined by the Federal Transit Authority), or a station that functions as a local bus hub or transfer station, serving a minimum of three fixed routes operating with headways of 21-30 minutes or less.

***Recommendation:
Work regionally
to improve safety
for pedestrians and
bicyclists.***

- a. Identify potential future land use map and other comprehensive plan changes at the local level. Also address the subject in regional level plans.
- b. Adopt form-based codes that have physical form, design of buildings and the public realm, and an emphasis on mixed and evolving land uses as organizing principles.
- c. Consider regional implementation of rapid transit zones or other such designations to maintain land use control around transit stations, including ones with multiple jurisdictions.



- SP-24 Consider the adoption of green neighborhood certification programs, such as LEED ND (Neighborhood Development) to guide decision making and development and to provide an incentive for better location, design, and construction of new residential, commercial, and mixed-use developments with the goal of increasing transportation choices while reducing household transportation costs. Incorporate sustainable building and neighborhood ratings or national model green building codes, including but not limited to those defined in Section 255.253(7), Florida Statutes, into municipal codes region-wide.
- SP-25 Adopt or create a green rating system for roads to reduce emissions from construction, maintenance, and agency operations through practices such as using recycled materials, purchasing materials found or manufactured sustainably in the region, and requiring construction contractors to implement emissions reductions practices such as using alternative fueled vehicles and clean diesel practices.
- SP-26 Improve movement and safety for non-motorized modes through the adoption and implementation of best practice models including Complete Streets.
- a. Develop policy, ordinances, guidelines, models and projects to accelerate implementation.

- b. Identify partners and resources to support training and the research into new techniques for transportation design and other professionals.

SP-27 Complete, expand and connect networks of bicycle and pedestrian facilities, including supporting access to transit.

- a. Prioritize implementation of planned bicycle and pedestrian networks. Improve overall coordination of local and regional agency planning and implementation efforts. Evaluate whether these facilities are connected regionally and on a local scale to major employment, education, and recreation centers.
- b. Implement a roadway design project checklist that includes measures of pedestrian, bicycle, and transit (e.g. bus bay) accommodation.
- c. Work regionally to improve safety for pedestrians and bicyclists.
- d. Consider regional adoption of Transit, Pedestrian, and Biking programs that aim to improve access to transit.
- e. Develop policies to increase designated bike parking facilities at office and retail developments.



SP-28 Continue to implement strategies aimed at maximizing the efficiency of the existing transportation network by all agencies across the region. Many of these strategies also result in greenhouse gas emissions reductions. There is a need for a toolbox of successful strategies that can be duplicated across the region. Agencies should make an effort to collect information that will allow for evaluation of the effectiveness of a strategy in reducing greenhouse gas emissions. Information collected by implementing agencies should include emissions reductions, fuel reductions, VMT impacts, or other performance measures as appropriate. Information collected should also include steps for implementation, costs, and lessons learned. Among the strategies to consider are use of roundabouts, real time operation of the traffic signal system, traffic signal prioritization and queue jumps for transit, interstate ramp metering, and employment

of a virtual freight network (freight network managed in real time using intelligent transportation systems).

- SP-29 Increase transit ridership by providing premium transit service⁴ on targeted regional corridors. Examples of successful routes include the I-95 Express bus service and “The Flyer” route from Miami International Airport to Miami Beach. The goal of these routes is to bring people who might otherwise drive to work (known as “choice riders”) from residential areas to regional centers of employment. Agencies should review levels of service policies and service standards and modify as necessary to prioritize increasing services along corridors with dense land use. Improve quality of service by continuing to monitor and address safety and performance.
- SP-30 Increase the amenities and infrastructure available to transit riders, such as shade, shelters, kiosks utilizing solar power when feasible, and route and real time boarding information.
- SP-31 Provide seamless transitions to increase the use of low carbon modes for the movement of people and freight in the region.
- a. Improve connections among Tri-Rail and county transit service, municipal trolley and community shuttle bus services which may include realignment of routes. District circulators, such as the Metro Mover in downtown Miami, which connects to Metro Rail, provide the last leg of a commute for transit riders and should have high frequency and ease of transfer.
 - b. Implement seamless regional transit fare and transfer media (traditional or virtual) across transit services in the region while improving walking and biking access to transit.
 - c. Develop planning strategies to address planning for the “First and Last Mile” of transit trips, which act as barriers for commuters who could potentially take transit but whose starting point or final destination cannot be conveniently accessed from

⁴ The term premium transit service in this context means rail, express bus service, or the Federal Transit Authority definition of Bus Rapid Transit service, which are routes predominantly on fixed guideways or high frequency bus service with the following elements: substantial transit stations, traffic signal priority or preemption, low-floor vehicles or level platform boarding, and separate branding of the service. High-frequency service is defined as 10-minute peak and 15-minute off-peak headways for at least 14 hours of service operations per day.

the nearest transit stop/station due to distance, terrain (street patterns), or real or perceived safety issues (traffic, crime).

- d. Partner to implement a Virtual Freight Network as part of the region's comprehensive Intelligent Transportation System/Transportation System Management and Operations Programs. Establish a software application to provide "load matching" for shippers and truckers to alleviate "deadheading" of empty trucks traveling back to destination.

- e. Incorporate climate adaptation strategies and greenhouse gas emissions inventories into Seaport and Airport Master Plans and Regional Freight Plans. Plans should address the critical last mile to and from major seaports and airports in part by providing comprehensive plan land use designations, policies, and standards that protect that function of roadway segments connecting seaports and airports (hubs) to corridors, such as interstates.



Recommendation: Increase transit ridership by providing premium transit service on targeted regional corridors.

- f. Establish performance measures including VMT reduction and emissions reductions monitoring for freight projects such as ship to rail projects which remove drayage truck operations⁵.
- g. Support clustering of distribution facilities to promote intermodal centers and economic development.

⁵ "Drayage truck operations" refer to truck container pickup from or delivery to a seaport terminal with both the trip origin and destination in the same urban area.

- SP-32 Use and expand Transportation Demand Management (TDM) strategies, which reduce peak hour and single-occupant vehicle travel.
- a. Vanpool and Carpool Programs - Work with MPOs, South Florida Commuter Services and South Florida Vanpool to identify and pursue opportunities to more fully utilize and expand these programs.
 - b. Car and Bike Sharing Programs - Work with companies providing these services and strategic partners (universities, municipalities, large employers, etc.) to establish zip car, bike sharing and personal vehicle sharing programs.
 - c. Employee Benefits – Encourage sharing of information on and use of employee benefits that support use of walking, biking and transit modes for work commutes (e.g., pre-tax benefits and Emergency Ride Home program).
 - d. Commute Trip Reduction Programs - Local governments should promote participation in programs such as the EPA Commuter Choice Program and explore the adoption of commute trip reduction ordinances.
- SP-33 Coordinate initiatives with those of the seven-county Southeast Florida Prosperity Plan, known as Seven50, to maximize the opportunities presented as Seven50 is developed (e.g., sharing data and analyses; participating in alternative future scenario planning; engaging a myriad of public, private and civic partners) and actively engage in Seven50 implementation efforts, designed to address the following Livability Principles:
- Provide more transportation choices
 - Promote equitable, affordable housing
 - Enhance economic competitiveness
 - Support existing communities
 - Coordinate policies and leverage investment;
 - Value communities and neighborhoods and
 - Enhance community resilience to the impacts of Climate Change

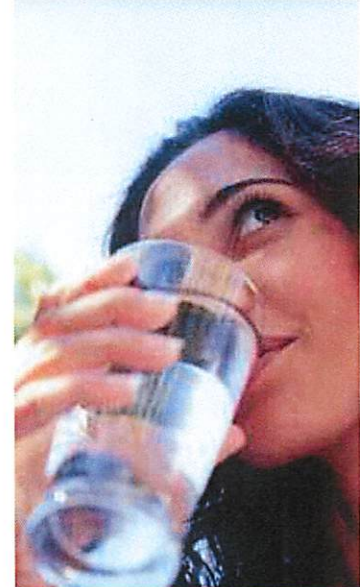
Water Supply, Management and Infrastructure

Climate change presents serious challenges for water managers with impacts on the quality and abundance of water supplies, water and wastewater infrastructure, and drainage and flood control operations. An effective response will require the coordinated efforts of governmental agencies and service providers and a holistic approach that treats water supply, disposal and management as integrated systems.

In Southeast Florida, climate change is predicted to influence precipitation patterns with both water supply and water management implications. Fewer storm events, drier winter and spring months, and an increase in local evapotranspiration rates (water lost to the atmosphere through evaporation and plant transpiration) will increase the frequency and severity of droughts while less frequent but more intense storms will tax water management systems causing both inland and coastal flooding. Impacts will be compounded by sea level rise with the loss of coastal wellfields due to saltwater intrusion and constraints on water management operations due to increases in groundwater levels and reduced discharge potential at canal water control structures. Addressing the impacts of climate change will require: finding solutions to consistently maintain high quality and adequate water supplies for all local communities, strategies to reduce the cost and energy demands of alternative water supplies, consideration of future conditions with respect to the placement of infrastructure, and investments in new and upgraded infrastructure to maintain essential drainage and flood control operations. Additionally, SLR from climate change is threatening the Florida Everglades, the backbone of our natural resource system, highlighting the urgent need for restoration of the Everglades with improved delivery and distribution of water flow to provide both natural resources and water supply benefits.

Given these challenges, it is essential to identify practical solutions today to help mitigate the impact of climate change on our future water supply. The Regional Climate Action Plan proposes recommendations to provide regionally coordinated water management plans that address

Climate change presents serious challenges for water managers.



It is essential to identify practical solutions today.

stormwater use and disposal, traditional and alternative water supplies, wastewater disposal and reuse, water conservation measures, and continued support for Everglades restoration efforts.

A unified effort among government, businesses, and consumers is needed to implement near-term solutions and develop long-term strategies to mitigate adverse impacts of climate change on water supplies while developing new sources that add diversity to our water supplies. Efforts will require optimized use of all water resources, with conservation being paramount, along with development of new sources less vulnerable to changing climate conditions. The challenge will be to implement these necessary projects without marked increases in energy consumption, a difficulty that underscores the value of conservation as a priority strategy. Policy and regulatory changes, funding for infrastructure, development of alternative water supplies, and public education will all be necessary in order to make significant progress. The issues are vast and the investments to be great, with effective response requiring the collaboration of the public, financial participation of state and federal governments, and the exploration of new finance strategies.

GOAL: Advance water management strategies and infrastructure improvements needed to mitigate for adverse impacts of climate change and sea level rise on water supplies, water and wastewater infrastructure, and water management systems.

- WS-1 Develop local and, where appropriate, regional inventories of existing potable water supply delivery and collection systems, vulnerable wellfields, wastewater collection and/or treatment infrastructure, septic tanks/drainfields, and stormwater drainage and treatment facilities; assess the potential impact from climate change of each component; and develop different climate change scenarios and adaptation strategies for high-risk utilities and/or infrastructure which may require replacement, reinforcement, or relocation to ensure the long-term viability of the system (e.g., modified site, depth, elevation, materials, or connection requirements).
- WS-2 Develop a regional saltwater intrusion baseline and utilize saltwater intrusion models to identify wellfields and underground infrastructure at risk of contamination/infiltration by saltwater with increases in sea level.
- WS-3 Utilize existing and refined inundation maps and stormwater management models to identify areas and infrastructure at increased risk of flooding and tidal inundation with increases in sea level, to be used as a basis for identifying and prioritizing adaptation needs and strategies.

WS-4 Evaluate the impacts of rising sea and groundwater levels on soil storage, infiltration rates and inflow to stormwater and wastewater collection and conveyance systems; consider longer-term influences on water quality; and develop strategies for implementing reclaimed water and



stormwater reuse projects that account for current and future conditions.

WS-5 Develop and apply appropriate hydrologic and hydraulic models to further evaluate the efficacy of existing water management systems and flood control/ drainage infrastructure under variable climate conditions. Quantify the capacity and interconnectivity of the surface water control network and develop feasible adaptation strategies.

WS-6 Coordinate with the South Florida Water Management District, Drainage/Water Control Districts, and utilities/public works officials to identify flood control and stormwater management infrastructure already operating below the design capacity. Further examine water control structures to ensure that they can provide for inland or upstream migration of riparian species as freshwater habitats become more saline.

WS-7 Develop Integrated Water Management Plans that present a joint assessment and planning strategy involving local water utilities, wastewater service providers, water managers, and partners to the Southeast Florida Regional Climate Change Compact, for coordinated consideration of stormwater use and disposal, traditional and alternative water supplies, wastewater disposal and reuse, and water conservation measures for use by local leadership to guide planning decisions as well as amendments to applicable codes and regulations.

WS-8 Develop and test water management and drainage system adaptation improvements needed to maintain existing levels of service relating to drainage, flood control, and water supply, and use cost-benefit analyses to prioritize potential improvements.

- WS-9 Incorporate and prioritize preferred climate adaptation improvement projects in capital improvement plans and pursue funding.
- WS-10 Encourage, foster, and support investigative work and scientific research that improves the understanding of local and regional climate change impacts specific to Southeast Florida, including:
- Improved down-scaling of global climate models for representation of precipitation at the regional/local scales
 - Identification and targeting of gaps in monitoring to improve quantification of the hydrologic system and its response to climate change, such as evapotranspiration, groundwater levels, and precipitation, and local sea level
 - Development of risk-based decision support tools and processes for application in analysis of infrastructure design, water resource management, natural systems management, and hazard mitigation alternatives. Tools should provide for consideration of potential economic costs of comparative planning scenarios, management decisions, and infrastructure investments and the evaluation of potential tradeoffs.
- WS-11 Undertake efforts to fill identified data gaps through local program efforts, agency collaborations, and advocacy for additional state/federal resources, as needed.
- WS-12 Foster the development and exchange of new information, methods and technical capabilities to address key questions of concern related to climate variability and sea level rise to support management decisions:
- Assess impacts of observed and predicted climate variability and sea level rise on the frequency, duration, and intensity of flooding as a result of extreme tidal excursions, storm surge, and 100-year storm events, and where impacts are likely to be greatest.
 - Examine the effects of climate change on water availability and groundwater vulnerability due to sea level rise, and predicted changes in precipitation and evapotranspiration patterns and rates.
 - Establish a venue for a periodic exchange of ideas between resource managers, policy makers, and researchers.

WS-13 Develop agency capabilities to provide rapid deployment of resources in immediate response to intense precipitation and storm events through use of Next RAD technology.

WS-14 Cultivate partnerships with federal and state agencies and professional associations with expertise in integrated water resource planning (such as the U.S. Army Corps of Engineers Institute for Water Resources, the United States Geological Survey, and Water Foundations) as sources of important research, reports, and information regarding climate change, and efforts being undertaken in other communities.



Recommendation: Mitigate climate change on water supplies, water and wastewater infrastructure, and water management systems.

WS-15 Monitor changes in rainfall patterns, temperature means and extremes and sea level rise through coordination with NOAA and other key organizations/partners to better predict future wet-season and dry-season rainfall. Monitor emerging science in order to assess the adequacy of regional climate models. Choose an annual conference or other venue at which such trends can be reviewed at regular intervals.

WS-16 Manage water storage in the region's publicly-owned uplands and wetlands and in other land uses compatible with water storage, including wetland restoration, certain agricultural operations and certain renewable energy production facilities. This will further serve to protect high quality drinking water supply, increase aquifer recharge, and as a means for managing saltwater intrusion.

WS-17 Support complete implementation and funding for the Comprehensive Everglades Restoration Plan (CERP) and its updated versions as fundamental to Everglades restoration, to include increased freshwater flows to the Everglades system, thereby improving water quality, maximizing regional freshwater storage and aquifer recharge, and providing potential to abate saltwater intrusion, which will become increasingly important under variable climate conditions and in the face of sea level rise.

WS-18 Combine existing and develop new land acquisition priorities in a regional setting to protect high quality drinking water supply.

Natural Systems

Southeast Florida's natural communities exist within specific climate, water and salinity regimes; coral reefs and seagrasses grow in clear, shallow seawater with abundant sunlight and stable temperatures while mangroves thrive in the often brackish areas between the low and high tide lines. Freshwater-dependent hardwood hammocks and pine rockland forests support an abundance and diversity of rare plants and animals unrivaled in the United States. Similarly, Everglades tree islands depend upon wet and dry seasonal rainfall patterns that have existed for centuries. Climate change threatens many of the native plants and animals important to Southeast Florida's culture, economy and distinctive sense of place.

Changing weather patterns are not new to the native flora and fauna of Southeast Florida. Plants and animals are always living and competing on the edge of their limits. Wetland plants gain ground, moving up the slope in wet years and perhaps losing that same ground in dry years. But in many climate change scenarios, the speed and direction of such changes may be unprecedented. Climate change may exceed the capacity of native species to keep pace. By taking specific action now, we may be able to manage our native flora and fauna without losing species diversity and without introducing potentially harmful species.

Coral reefs are vital to local fisheries and the economy. Healthy oceans provide most of the oxygen in the air we breathe. Much research is already underway regarding the impact of climate change on the world's oceans. Locally, strategies are being developed to maintain our ocean in the face of climate change. In estuarine systems, mangroves and seagrasses are primary converters of sunlight energy to food energy. However, they are both limited



Climate change threatens many of the native plants and animals ...



... important to Southeast Florida's culture, economy and distinctive sense of place.

by water depth. As seas rise, they may not survive in their current locations. It will be incumbent on us to ensure that newly inundated areas are available for them to colonize. The fate of freshwater wetlands is currently harder to predict. Tide water may reach further inland and some freshwater sources may become more brackish. These 'lightly salty' estuaries can be biologically healthy habitats but we must ensure that other land uses, including drinking water supplies, are not threatened.

Most of the regions' freshwater wetlands and native uplands are supplied with rainwater. At this time, no one knows exactly what changes in rainfall patterns are in store for us. What we do know is that storage of freshwater is an important mitigation option whether rainfall is too much or too little – or both. Having freshwater storage options allows us to collect flood waters and hold them for later release during drought.

Given the opportunity, some species can adapt, migrate, or transition. Adaptation and migration or transition, necessary for sustaining natural plant and animal communities, will require careful and thoughtful planning. Land use planning and land acquisition programs will have to allow for such transitions. Hardened shorelines may be transformed to living shorelines. Open lands or vacant parcels may be suitable locations for habitat restoration.

The following strategies recommend ways in which all levels of government can share information necessary to plan for and implement the maintenance of natural areas, rare and endangered native species populations as well as the green industries necessary for our local economy.

GOAL: Implement monitoring, management, and conservation programs designed to protect natural systems and improve their capacity for climate adaptation.

NS-1 Develop a vital signs status and trends monitoring program for biological communities. Key parameters may include rate of sea level rise, saltwater intrusion boundary and monitoring wells, landscape-level vegetation patterns, percent coral cover and condition in offshore reef zones, water temperature and pH in areas, and occurrence and range of invasive exotic plants and animal species.

NS-2 Promote collaborative federal, state and local government conservation land acquisition programs. Explore fee simple and less-than-fee approaches which reflect regional acquisition priorities and result in conserving a diversity of natural areas including hot spots of biological diversity, protecting open space and buffer areas to create or maintain resilience and adaptive capacity of existing natural areas to transition inland/upslope.

NS-3 Support regional fire management coordination efforts emphasizing frequent, low intensity fire regimes in wetland and pine forest systems to maximize habitat quality, resilience to change and carbon neutrality while preventing hazardous fuel load buildup that leads to major carbon releases.



Goal: Implement monitoring, management, and conservation programs designed to protect natural systems and improve their capacity for climate adaptation.

NS-4 Quantify monetary values of hazard mitigation and adaptation provided by natural systems using Ecosystem Services Valuation or comparable model. Create a sustainable funding mechanism for their protection and management.

NS-5 Maintain or restore multiple areas of habitat and large-scale connectivity to facilitate native species population stability and habitat shifts resulting from climate change.

NS-6 Coordinate and implement regional invasive exotic species prevention and control efforts to minimize the diversity and abundance of habitat-homogenizing exotic plants and animals by emphasizing prevention of new invasions and early detection/rapid response to nascent invasions.

NS-7 Coordinate “living shorelines” objectives at regional scale to foster use of natural infrastructure (e.g. coral reefs, native vegetation and mangrove wetlands) instead of or in addition to grey infrastructure (e.g. bulkheads).

NS-8 Leverage existing work of the Florida Reef Resilience Program’s “Climate Change Action Plan for Florida’s Coral Reef System 2010-2015” for protection of marine habitat.

- NS-9 Engage and cooperate with marine resource agencies to maintain coral reef (e.g., selective breeding) and mangrove ecotones as estuarine habitat and natural barriers to storm surge that also maintain coastal biodiversity.
- NS-10 Advocate for federal and state funding for applied monitoring and climate related science:
- identify economic and physical linkages between marine systems (e.g. reefs and mangroves) and hazard risk/damage claim reduction
 - monitor coastal and freshwater marsh vegetation tolerance to changing salinity, depth and other climate variables
 - improve data on estuarine bathymetry and use appropriate models to help identify habitats at risk
 - develop refined climate projections, hydrologic and ecological models to aid in planning
- NS-11 Support regulatory requirements that provide for ecologically beneficial uses of clean, dredged materials.
- NS-12 Develop long-term turtle-nesting beach preservation and management strategies to reduce nest vulnerability and mortality.
- NS-13 Compile information on rare plant species in threatened natural communities and develop adaptation plans that include, at a minimum, seed bank repository collection and assisted propagation.
- NS-14 Maintain/restore urban tree canopy.

Sea level rise from climate change is threatening the Florida Everglades, the backbone of our natural resource system.



Agriculture

Agriculture is consistently one of the three economic drivers to Florida's economy. When the economic impact of tourism, development and agriculture are reviewed over many years, agriculture tends to be the stabilizing component of the economy.

Southeast Florida is unlike any other growing area in the nation due to a 12-month growing season and ample local market potential. More than 250 different and unique crops grow in Southeast

Florida. These crops supply the entire east coast of the United States with winter vegetables, contributing to the food security of the nation. Many tropical and ethnic crops are also grown and marketed to the diverse population of the region.

Farmers are actively adapting Best Management Practices that efficiently utilize nutrient application (right time, right place) and conserve water resources. They are also evaluating alternative methods to utilize and retain water when it's not harmful to current or projected growing practices.

The agriculture community is committed to sustainability, and the economic viability of regional agriculture will allow farmers to remain on the land to grow food, fuel and fiber for area residents as well as the nation. Consideration of agricultural impacts is vital to any regional action plan which should include action plans to address flooding, salt-water intrusion, exotic pests and disease introduction and crop changes due to climate change.



Consideration of agricultural impacts is vital to any regional action plan.

GOAL: Ensure the continued viability of agriculture in Southeast Florida through policies which remove barriers to production, promote economic incentives, improve water reliability, and provide research on best management practices, thereby encouraging sustainable production in the face of a changing climate.

- AG-1 Promote policies which preserve the economic viability of agriculture as the industry adapts in the face of climate change.
- AG-2 Develop and seek regional, state, and county-based funding for willing buyer/willing seller Agriculture Purchase of Development Rights Program to maintain agricultural land for its

ability to lessen climate change impacts and provide for national food security.

AG-3 Support academic research in the agriculture sector on best management practices for crops presently grown or new crops which may be grown as climate conditions change in Southeast Florida.

AG-4 Provide incentives to growers/land owners to manage agricultural lands to lessen impacts of climate change regionally and provide environmental benefits (which may include, but not be limited to: open space, water aquifer recharge and storage, carbon sequestration, wind farms, biofuels, and wildlife habitat).

AG-5 Ensure availability of water supply, at reasonable cost, to meet the diversity of needs across Southeast Florida to include agricultural irrigation needs and crop freeze protection.

AG-6 Identify and reduce obstacles for permitting agricultural practices (including growing and selling produce) in urban areas, in order to encourage urban farming and reduce greenhouse gas emissions related to the transport of farm produce.



More than 250 crops grow in Southeast Florida, contributing to the food security of the nation.

Energy and Fuel

The vast majority of the energy consumed in the region is to fuel our vehicles and to generate electricity for our buildings. It is widely understood that the most accessible and cost-effective way to reduce energy consumption is through efficiency and conservation. The recommendations in this area address these important strategies and also take the next step by encouraging the use of alternative and renewable energy. They call for public-private partnerships and addressing barriers, including regulatory processes, which currently prevent the broad application of these technologies. Recommendations are comprehensive, ranging from setting regional goals, increasing renewable energy capacity to establishing a regional framework to deliver finance options. Recommendations also aim to reduce idling and prepare our region for the shift to plug-in electric vehicles.

GOAL: Increase renewable energy capacity and reduce consumption of electricity and fuel.

EF-1 Undertake regional efforts to advance energy efficiencies, energy conservation and the deployment of alternative and/or renewable energy technologies in existing and proposed developments through local ordinance, incentives, education, and energy efficiency financing strategies.

EF-2 Work toward the establishment of a regional framework to deliver Energy Efficiency and Renewable Energy finance options, in addition to other local government initiatives and partnerships, to achieve regional greenhouse gas emissions reductions, the use of alternative and renewable energy technologies, in furtherance of green sector economic development.

EF-3 Set a recurring five-year regional goal to increase renewable energy capacity and conservation – which includes the co-benefits of economic development and job creation – through revising building and zoning codes and architectural design guidelines to allow for, encourage, and integrate renewable energy sources into the power supply.

EF-4 Seek amendments to existing land development regulations and development standards and revise or eliminate provisions that act as a barrier to the installation and use of renewable energy systems pursuant to Section 163.04, F.S.

EF-5 Develop policies to facilitate and streamline the deployment of energy efficient and renewable energy such as the installation of LEDs and use of solar power for public infrastructure such as street lighting, parks, and parking facilities. Survey counties, cities and regional agencies with lighting infrastructure to determine the



Recommendations aim to reduce idling and prepare our region for the shift to plug-in electric vehicles...



... and to advance energy efficiencies, energy conservation and the deployment of alternative and/or renewable energy technologies on a regional basis.

level of deployment and to gather best practice policies and implementation steps to facilitate the application of efficient, environmentally sensitive (sea turtles), and responsive lighting practices in additional infrastructure.

- EF-6 Support or facilitate development and distribution of *local* sources of sustainable fuels and availability of fueling infrastructure. Adopt policies to facilitate the development of *locally sourced* sustainable alternative fuels, those achieving a reduction in lifecycle greenhouse gas emissions when compared to conventional fossil fuels (including, but not limited to, waste-based bio-diesel and methane gas from sources like landfills). Include these policies in regional plans and Local Comprehensive Plans. Identify incentives and modify local code to encourage the establishment of a local alternative energy industry.
- EF-7 Establish a working group of public and private stakeholders to develop a strategy to promote the use of Plug-in Electric Vehicles in the region.
- a. Establish locations where infrastructure and/or battery switching stations are needed. Solar charging and other renewable options should be designated a priority to maximize emission reduction benefits and to improve the community's emergency management preparedness in times of power outages.
 - b. Develop policies to provide incentives for the deployment of infrastructure to complement transit oriented corridors. Preferred and/or reduced parking fees should be a consideration for riders accessing transit facilities by electric or other alternative fuel vehicles. Transit facilities should develop plans to establish electric vehicle charging infrastructure.
 - c. Work with relevant stakeholders to streamline permitting processes associated with charging equipment to encourage the safe and expeditious installation on customer premises and elsewhere.
 - d. Coordinate monetary and non-monetary incentives available to the general public and organizations purchasing electric vehicles.
 - e. Support regional efforts to establish a framework for siting/locating public electric vehicle charging stations.
- EF-8 Develop a strategy to promote the development of truck parking with electrification facilities and the use of auxiliary power units to reduce extended idling by trucks.

- a. Survey state, local and regional transportation agencies for existing studies identifying trucking patterns and needs.
- b. Identify strategic locations for truck parking facilities and seek competitive funding opportunities as a region.

Risk Reduction and Emergency Management

The recommendations presented in this section of the Southeast Florida Regional Climate Action Plan provide a foundation for establishing a more predictable physical environment in the face of climate change through regulations, adaptation strategies, and emergency operations, with the goal of reducing future economic losses and threats to public safety. Southeast Florida is no stranger to the devastating effects of hurricanes and other severe weather. Our experience has made us experts in planning, preparedness, response, mitigation, and recovery. Our emergency managers are trained in an all risk-based, all hazards approach. Disaster can strike anytime, anywhere. It takes many forms – a hurricane, a tornado, a flood, a fire or a hazardous spill, an act of nature or an act of terrorism. In fact, in the aftermath of September 11, homeland security preparedness was easily incorporated into Southeast Florida's all hazards approach to emergency management. An emergency can build over days or weeks, or hit suddenly, without warning. Southeast Floridians are resilient and accustomed to this and can mitigate, prepare, respond, recover, and return to better than normal.

Planning for more and possibly new weather-related threats needs to be incorporated into our emergency preparedness and hazard mitigation plans.

Climate change differs, however, with impacts that may not be immediately evident as the changing conditions are slower and occur over longer time scales. With climate change there is no overnight return to "normal." Sea level rise does not appear on the on 6 o'clock news weather map moving towards the coast of Florida. It is that difference that makes it more difficult for the general public to understand and to react to climate change. Yet, we are already experiencing more extreme weather conditions – from extreme rain to extreme droughts, from unseasonable heat waves to early cold fronts. Climate



is changing. Adapting and planning for more and possibly new weather-related threats need to be incorporated into preparedness procedures, and one step further is to include climate change in our emergency preparedness and hazard mitigation plans.

The collection of strategies and actions in this area is aimed at integrating climate change risk into all-hazards emergency management planning and response models. This approach provides support for the objectives of the Coastal Zone Management Act of 1972 which recognizes sea level rise as a threat to coastal communities and encourages strategies for improved protection of life and property, and builds upon requirements of Section 163.3178 and Chapter 252 F.S. relating to coastal and emergency management plans.

GOAL: Provide a more resilient natural and built physical environment in light of climate change.

RR-1 Perform vulnerability analysis to identify and quantify the economic value of regional infrastructure at risk under various sea level rise scenarios and other climate change scenarios utilizing inundation mapping, modeling, and other appropriate tools. While the initial regional vulnerability assessment completed by the Compact Counties for use in this Regional Climate Action Plan has yielded important new insights on regional risk, additional and ongoing analysis is required to further refine our current understanding and to monitor changes in Southeast Florida's risk profile over time.

RR-2 Evaluate and improve adaptation responses for communities at risk, to include:

- Development and implementation of methodologies for the assessment and evaluation of evacuation and relocation options
- Development of model evacuation policies and procedures for communities at increased risk of flooding
- Development of model relocation policies for affected communities.

RR-3 Incorporate climate change adaptation into the relevant Local Mitigation Strategy (LMS) to reduce or eliminate long-term risk to human life and property from disasters. Within the LMS, update local risk assessments to include climate change in the hazard analysis and vulnerability assessment section. Develop strategies for hazard mitigation and post-disaster redevelopment planning.

RR-4 Identify transportation infrastructure at risk from climate change in the region, and determine whether, when, where, and to whom projected impacts from climate change might be significant. Employ inundation mapping, modeling and other appropriate tools to assess the vulnerability of transportation infrastructure to the projected impacts of climate change under various sea level rise and other climate change scenarios. At a minimum, assess the vulnerability of the following transportation infrastructure:

- local transportation networks of the Compact Counties
- the Regional Transportation Network designated by the Southeast Florida Transportation Council composed of interconnected, strategic corridors (roadway, rail line, waterway), hubs (airports, seaports, intermodal terminals, freight terminals, passenger rail and intercity bus terminals) and connectors critical to the mobility of people and freight and the region's economic competitiveness and quality of life (map included in Appendix D); and evacuation routes adopted under the Statewide Regional Evacuation Corridor Program.



Recommendation: Communicate the risks related to climate change.

RR-5 Enforce Coastal Construction Control Line and build upon goals, objectives and policies related to Coastal High Hazard Area designations in Comprehensive Plans.

RR-6 Adopt consistent plans at all levels of regional government that adequately address and integrate mitigation, sea level rise and climate change adaptation. The following plans must all be consistent: disaster recovery and redevelopment plans, comprehensive plans, long-range transportation plans, comprehensive emergency management plans, capital improvement plans, economic development plans, Local Mitigation Strategy, Climate Change Action Plan, and Future Land Use Plan.

RR-7 Continue to implement and enforce strong building codes that require new construction and substantial improvements to existing structures to mitigate against the impacts of flooding, severe winds, and sea level rise, and which are consistent with Climate Change Adaptation policy.

Outreach and Public Policy

Outreach and Public Policy recommendations are combined in recognition of the fact that the best planning efforts in the world will not be implemented or reach their full potential without the support of the public, often through local government public outreach programs, and without the leadership of local, state and federal policy makers and private sector decision makers who are committed to a sustainable planet.

Public Outreach

Today's world is marked by instant communication, immediate information and multitasking behaviors. News and information related to climate change is difficult to communicate in a sound bite. It's relatively easy to communicate the threat of an imminent storm, tornado or other natural disaster, but much more difficult to mobilize the public to hazards that unfold over years and decades. The state of the current economy also makes a long-term discussion on climate change more difficult when many Americans are thinking about short-term housing, employment and other immediate needs. And, of course, the science of climate change is still contested by some.

The strategies and actions in this area aim to educate stakeholders in all sectors and at all levels – from the general public and voters to elected officials, professionals and other decision makers. These are initiatives to inform and create a common understanding of the benefits of energy independence, energy use reduction, water conservation, smart growth, and natural area protection that will create demand for a healthy, sustainable and resilient region.

GOAL: Communicate the risks related to climate change and the value of adapting policies and practices to achieve resilience throughout the region.

- PO-1 Provide outreach to residents, stakeholders and elected officials on the importance of addressing climate change adaptation and preparedness and develop a program to educate specific interest groups about the Compact, Regional Climate Action Plan, and the benefits of Adaptation Action Area. Consider utilizing the Academy concept to educate elected leaders, academic interests and other decision makers.
- PO-2 Collaborate among counties, municipalities and appropriate agencies to develop and carry out outreach/educational programs to increase public awareness about hazards

exacerbated by climate change, mitigation efforts, and adaptation strategies to minimize damage and risk associated with climate change.

Successful implementation of the Regional Action Plan strategies requires continued collaboration.

- PO-3 Provide education and improve communications on energy conservation and available technologies with a focus on both short-term and life-cycle economic benefits, and incentives available within the region.
- PO-4 Modify existing and encourage new public outreach, education and messaging programs associated with natural areas including upland, wetland, marine, coastal and nearshore environments and the Everglades to include climate change mitigation and adaptation messaging and volunteer opportunities to create awareness about the impacts of climate change on the environment.
- PO-5 Initiate a regional public education campaign to educate residents, business owners, and policy makers on the merits of preserving open land as an “insurance policy” for adaptation to sea level rise in Southeast Florida.
- PO-6 Develop early warning systems and social media applications to both inform residents and visitors of extreme high-tide events and to raise overall awareness on sea level rise and climate change issues. Also consider roadway signage for tidal flooding zones.
- PO-7 Leverage resources for campaign and promotional advertisements by coordinating public transportation messaging in the region to attract non-transit-dependent (choice) riders. Messages should focus on making riding transit “cool.”
- PO-8 Deploy social media applications, to facilitate use of transit including access to real-time information such as arrival times.
- PO-9 Develop strategies to promote fuel efficient driving habits, including anti-idling practices, and to raise awareness of rules and safety practices for sharing the road



with bicyclists and pedestrians. Conduct best practice research on existing campaigns and look for opportunities to integrate tools into existing high school, county and municipal driver education courses, traffic school curriculum, truck driver training, and fleet associations. Also include messaging on the benefits of purchasing fuel efficient vehicles.

PO-10 Coordinate outreach efforts with states, regions and counties that are subject to the impacts of climate change with special emphasis on coastal entities experiencing sea level rise and coastal flooding to create a national Climate Adaptation Coalition for the purpose of impacting public policy and influencing appropriations requests.

PO-11 Create a working group to expand marketing efforts such as Redland Raised to promote local organic and sustainable agriculture and economy by connecting farmers with local users such as restaurants, grocers, and farmers markets and encourage the establishment of farm-to-school initiatives and community supported agriculture programs.

Public Policy

Public policy development and advocacy are core components of the Compact and commitments that the Compact partners have fulfilled. Recent amendments to Florida law that provide for Adaptation Action Area designation for areas vulnerable to the impacts of climate change, and the subsequent request by members of Congress to amend federal law to mirror this action are just a few examples of the Compact's success to influence policies. The Regional Climate Action Plan provides the next step to gain support for ordinances, regulations and state and federal policies on behalf of the region. The Public Policy goal complements numerous other recommendations noted in the Sustainable Communities and Transportation Planning sections of this Plan.



On June 24, 2010, partners in the Southeast Florida Climate Compact convened a regional press event to respond to the Deepwater Horizon Oil Spill in an urgent call for comprehensive federal energy policy and a demand for a permanent ban on oil drilling and exploration in Florida's territorial waters and along Florida's outer continental shelf.

Additionally, the continuation of regional efforts to influence public policy is key to ensure that state and national policies considered during these uncertain times do not impede regional efforts already underway. Compact successes to date can easily be undermined without vigilance in monitoring policy developments on all levels of government.

GOAL: Guide and influence local, regional, state and federal climate change related policies and programs through collaboration and joint advocacy.

- PP-1 Compact Partners will continue the support for the core Compact policies and the role of joint advocacy as provided for in Sections 1 – 4 of the Compact calling for changes to federal law that better recognize the unique vulnerabilities of Southeast Florida to climate change and for providing appropriations based on vulnerabilities, with special attention to funding infrastructure projects to adapt to sea level rise.
- PP-2 Compact partners will continue to develop state and federal legislative programs on a yearly basis that will serve as guidance for advocacy in Tallahassee and Washington, D.C. Regional programs will be considered for inclusion into Compact partners' legislative packages and joint advocacy in Tallahassee and Washington, D.C., is encouraged when appropriate.
- PP-3 Continue to seek the support of other municipal and county jurisdictions including the Leagues of Cities, Florida Association of Counties (FAC), etc. within Florida and the National Association of Counties (NACo) and other entities that influence national policy for the purpose of building coalitions, sharing resources, and influencing state and national policy on mutual climate related issues through joint advocacy.
- PP-4 Counties, municipalities, regional agencies and other appropriate government and private sector partners should integrate consideration of climate change impacts and adaptation strategies into existing and future systemwide planning, operations, policies, and programs. The guiding principles developed by the Interagency Task Force on Climate Change Adaptation⁶ for federal agencies should be incorporated by entities when designing and implementing adaptation strategies:

⁶(<http://www.fedcenter.gov/programs/climate/guidingprinciples/>)

- Prioritize the most vulnerable
- Use best-available science
- Build strong partnerships
- Apply risk-management methods and tools
- Apply ecosystem-based approaches
- Maximize mutual benefits
- Continuously evaluate performance

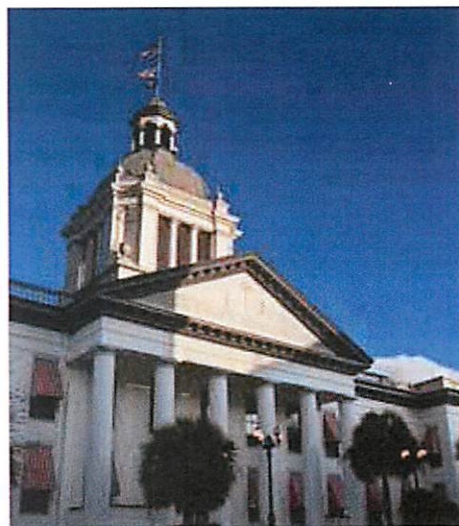
We will continue to seek the support of entities that influence national policy for the purpose of building coalitions, ...

- PP-5 Advocate for new authorization of the federal surface transportation programs with increased priority for funding public transit and non-motorized travel and integrated regional and local planning as means to reduce the greenhouse gas emissions from the transportation sector. Such a federal program should explicitly incorporate climate change and shift priorities toward programs that encourage reinvestment in existing infrastructure and communities (“fix-it-first” programs), support public transportation and transit-oriented development, and address congestion management through means other than new road building.
- PP-6 Support federal actions to reform transportation models and enhance the National Environmental Policy Act (NEPA) processes to integrate climate change analysis. The essential purpose of NEPA is to ensure that environmental factors are weighted equally when compared to other factors in the decision making process. NEPA processes are central to highway and transit project investment analysis.
- PP-7 Advocate for stronger Corporate Average Fuel Economy (CAFE) Standards and other initiatives to promote clean fuel alternatives and encourage more stringent vehicle emission standards in recognition of the value of these initiatives to mitigate the impacts of climate change by reducing greenhouse gas emissions.
- PP-8 Support and advocate for continued implementation and funding on the state and federal levels for the Comprehensive Everglades Restoration Plan (CERP) in recognition of the important role of CERP in climate adaptation planning and local water resource management related to regional water storage and aquifer recharge, important under variable climate conditions and sea level rise.
- PP-9 Advocate to interests in Tallahassee for the preservation of the authority and resource capacity of the Water Management Districts in support of their continued

participation in integrated water resource planning, particularly in Southeast Florida where climate change and sea level rise pose additional challenges to the complex issues of alternative water supply development, Everglades restoration, salt water abatement, and drainage and flood control operations.

... sharing resources, and influencing state and national policy on mutual climate related issues through joint advocacy.

- PP-10 Encourage federal support for research and investigations of potential energy efficiencies in pumping and water treatment processes necessary for meeting energy reduction goals concurrent with a growing reliance on pumps and advanced treatment technologies for drainage and flood control, water production and wastewater operations.
- PP-11 Urge Congress to provide recognition of an “Adaptation Action Area” designation in federal law for the purpose of prioritizing funding for infrastructure needs and adaptation planning, with special attention to modifications in law that enhance funding opportunities through USACE and EPA appropriations processes, as requested by members of Congress.
- PP-12 Urge Congress to pass legislation that would create a permanent funding source to finance infrastructure projects to adapt to the impacts of climate change with emphasis on investments in areas such as water management, water supply, transportation and other projects that serve to reduce risks to urban infrastructure from extreme weather events and rising sea levels.
- PP-13 Urge Congress to pass legislation that removes federal barriers posed by the Federal Housing Finance Agency to Property Assessed Clean Energy (PACE) residential initiatives that are intended to assist property owners to finance energy efficiency and renewable energy improvements.



VII. Conclusions

This Regional Climate Action Plan provides the initial framework for an ongoing regional commitment to building resilience and sustainability as cornerstones of Southeast Florida's regional economic, social and ecological system. The five-year scope of this document is indicative of the fact that this is the beginning rather than the end of the Regional Compact process. The Compact Counties recognize that a given document is less important than the ongoing collaborative process of assessing progress over time, developing new policies and collaborations among the public, private and nonprofit sectors to adjust accordingly and incorporating new knowledge provided by ongoing scientific endeavors. While much can be learned about sustainability and resilience from past experience, new technologies, changes in the regional economy and changes in the historical climatic conditions within Southeast Florida require active learning over the decades to come. The Southeast Florida Regional Climate Change Compact has developed the institutional capacity to enable the collaborative learning required to meet these challenges over time.

The Significance of the Southeast Florida Regional Climate Change Compact

While providing direct benefits to the region, the Compact has provided a national model for state and federal agency engagement with local government around the specific issues of place. As the Compact is led by local government and further, as the Compact represents a significant aggregation of effort by four counties containing over 100 municipalities, it has become a highly efficient mechanism for state and federal agency engagement in the local process. Since its adoption in early 2010, the Compact has received extensive technical support from NOAA, the United States Geological Survey, the U.S. Army Corps of Engineers, EPA Region IV as well as the Florida Department of Transportation, the Florida Department of Economic Opportunity and the South Florida Water Management District.

The regional scale of the Compact has enabled participants to develop resilience strategies that effectively integrate human and natural systems. The Regional Climate Action Plan has effectively connected resilience efforts within the urban core of Southeast Florida with broader ecosystem scale efforts including



comprehensive Everglades restoration, protection of the Southeast Florida coral reef tract, and regionally important threatened and endangered species and habitats. The ecosystem services provided to the human settlements of the region are evident in the nature of projected vulnerabilities such as salt water intrusion into local drinking water supplies and the increased exposure to storm surge impacts associated with the loss of natural barriers. And the strategies developed to enhance environmental and habitat quality fully recognize the benefits these strategies will have for the ongoing livability of the region.

*The Compact
has provided a
national model
for state and
federal agency
engagement with
local government.*

The Compact has enjoyed stable, bipartisan political support since its initiation in 2009 despite the swings in the political salience of global climate change observed over this time in state and federal political dynamics. This stability has remained despite the departure of early champions of the Regional Compact from County Commission seats and a change of administration within one of the four Compact Counties. The scope and extent of regional engagement made possible by the Regional Compact has served to foster on-going bipartisan support as the Compact continues to enjoy strong political leadership from each of the Compact Counties.

As an ongoing collaboration, the Compact provides a formal framework for policy development, implementation and evaluation that is so critical to enable learning over time. Implementation of this Regional Climate Action Plan will require the active participation of many actors, not least of which are the many municipalities within the four county region who have primacy in many cases for the decisions that will determine the shape of Southeast Florida in the years to come. The Regional Compact process has benefited greatly from the active participation of municipal representatives who have contributed much perspective and many insights thus far. As implementation progresses, this ongoing collaboration will be all the more critical for success.

Next Steps

The release of this Regional Climate Action Plan is the first of several subsequent steps to follow in the Regional Compact process. The following provides an overview of these subsequent next steps:

- Upon completion of the final Regional Climate Action Plan, the Compact Staff Steering Committee will transmit the final plan to the four Boards of County Commissioners for the acceptance and/or approval of the final recommendations.
- The Compact Counties will continue development of a set of progress indicators for use in monitoring and evaluating the impact of implemented recommendations in building resilience and sustainability in Southeast Florida.
- The Compact Counties will continue to collaborate with the Southeast Florida Regional Sustainable Communities Initiative funded by the U.S. Department of Housing and Urban Development in addressing a wide range of sustainability and livability considerations for Southeast Florida. The Compact Counties will continue to collaborate with the Southeast Florida Regional Partnership in addressing a wide range of sustainability and livability considerations for the region, including through development and implementation of the Seven50 Regional Vision and Blueprint for Economic Prosperity.
- Annually, the Compact Policy Coordination Team will continue the Compact energy and climate policy coordination process for state and federal legislation and will continue to monitor legislative developments in both levels of government.
- In early 2013, the Sea Level Rise Projection Technical Advisory Committee will reconvene following the December 31, 2012 publication deadline for peer-reviewed scientific literature to be used in the Fifth Assessment Report of the Intergovernmental Panel on Climate Change due in 2014. Members of the technical advisory committee have advised that they anticipate many new publications in 2012 that will have significant bearing on mid- to longer-term rates of sea level rise as an issue of concern for Southeast Florida. At that time, the technical committee will provide regionally consistent sea level rise projections for use in the Compact process through 2100 while adjusting guidance provided for 2030 and 2060 as warranted by the science.

There are more than 100 local governments in the region, each at varying stages of climate mitigation and adaptation planning and implementation.

This first Regional Climate Action Plan recommends several first steps toward reducing emissions and building resilience to climatic impacts across Southeast Florida, but it isn't the final outcome of the Compact. Compact participants have the opportunity to learn from early implementation: what works and what doesn't, what are the implications of new science, and what are the



Our individual and collective steps will result in a more resilient region.

implications of changes in state and federal policy. Over the next few months, the Compact Counties will continue working with the Coastal Services Center at NOAA to develop a set of performance indicators for use in monitoring and evaluating progress made in implementing this first Regional Climate Action Plan. By implementing an ongoing set of performance metrics for this Regional Plan and by remaining engaged with leading practitioners of science and public policy, the Compact will be well positioned to capitalize on success, learn from challenges, and produce subsequent future iterations of this Regional Climate Action Plan as a means to securing a more prosperous Southeast Florida.

Join us on this journey and visit our website for more information, source documents and to view the Implementation Guide: southeastfloridacclimatecompact.org.

VIII. Appendices

Appendix A - Southeast Florida Regional Climate Change Compact



Southeast Florida Regional Climate Change Compact

WHEREAS, there is consensus among the world's leading scientists that global climate change is among the most significant problems facing the world today; and

WHEREAS, Florida is considered one of the most vulnerable areas in the country to the consequences of climate change with Southeast Florida on the front line to experience the impacts of climate change, especially sea level rise; and

WHEREAS, Broward, Miami-Dade, Palm Beach and Monroe Counties, herein the four counties that constitute the Southeast Florida Region, share in common a strong quality of life rooted in the region's rich cultural heritage, vigorous economy, and environmental resources of global significance; and

WHEREAS, the aforementioned four counties of Southeast Florida, which represent approximately 30% of the population of the State of Florida, are physically linked one to the other by the Atlantic Ocean coastline and share some of the world's most renowned natural resources such as the Everglades, our unique coral reefs, beautiful beaches, and fragile Keys ecosystem; and

WHEREAS, the four counties of Southeast Florida and their respective populations, totaling more than five million residents, are expected to share in disproportionately high risks associated with climate change due to low land elevations, rising sea level projections, and anticipated increases in tropical storm events; and

WHEREAS, rising sea levels could limit the effectiveness of critical drainage infrastructure, endanger beaches, and coastal natural resources and increase incidents of saltwater intrusion on the Biscayne Aquifer – putting at risk the drinking water supply for the entire population of Southeast Florida; and

WHEREAS, local governments, and the region as a whole, must give significant consideration to adaptation strategies designed to protect public infrastructure, property, water resources, natural areas and native species, and basic quality of life; and

WHEREAS, the aforementioned four counties of Southeast Florida account for a combined Gross Domestic Product of more than \$2.5 billion annually and more than 37% of statewide economic output; and

WHEREAS, while the four counties of Southeast Florida have independently taken steps to address global climate change, all parties recognize that coordinated and collective action on this, the defining issue for Southeast Florida in the 21st Century, will best serve the citizens of the region;

NOW THEREFORE, BE IT RESOLVED BY THE BOARDS OF COUNTY COMMISSIONERS OF THE FOUR COUNTIES OF SOUTHEAST FLORIDA:

SECTION 1: That each county shall work in close collaboration with the aforementioned counties of Southeast Florida party to this compact to develop a joint policy position urging the United States Congress to pass legislation that recognizes the unique vulnerabilities of Southeast Florida to the impacts of climate change and to further a joint policy position that includes specific recommendations regarding the allocation of federal climate change funding based on vulnerability to climate change impacts. Such recommendations might include designation of areas of Southeast Florida as uniquely vulnerable and of federal interest for the purpose of securing enhanced levels of federal participation in regional adaptation projects.

SECTION 2: That each county shall work in close collaboration with the other counties party to this compact to develop additional legislative policy statements relating to global climate change and future legislation to be considered by the Congress of the United States for transmittal to the Congressional Delegation representing, in part or in whole, districts within the area covered by this compact.

SECTION 3: That each county shall work in close collaboration with other counties party to this compact in developing joint position statements on proposed State legislation and energy/climate policies including but not limited to issues such as the region's energy and climate security and a renewable energy portfolio standard that defines renewable energy sources as wind, solar, geothermal, biomass, landfill gas, qualified hydropower, and marine and hydrokinetic energy, and also including nuclear energy, and to collaborate on other emerging energy/climate issues that may be considered by the 2010 Florida Legislature for transmittal to the Legislative Delegation representing, in part or in whole, districts within the area covered by this compact.

SECTION 4: That each county shall work with other counties party to this compact in developing joint position statements for future State legislation that may be considered by the Florida Legislature for transmittal to the Legislative Delegation representing, in part or in whole, districts within the area covered by this compact.

SECTION 5: That each county shall commit appropriate staff resources and expertise, within budget constraints, to participate in a Regional Climate Team with other counties party to this compact toward the development of a Southeast Florida Regional Climate Change Action Plan.

SECTION 6: That each county shall work with other counties party to this compact in developing a Southeast Florida Regional Climate Change Action Plan, understanding that no county will work at cross-purposes with the other counties. The Action Plan could, at a minimum, include the following components:

- (a) A baseline of greenhouse gas emissions for Southeast Florida;
- (b) Strategies for coordinated emission reductions throughout the built environment to include the use of energy efficiency, energy conservation, and the use of demand-side renewable energy resources;
- (c) Strategies for coordinated emission reductions from the transportation sector to include increased reliance on public transit, emerging vehicle technologies, and advanced biofuels;
- (d) Strategies for coordinated emission reductions resulting from changes in local and regional land use;
- (e) Strategies for the coordinated regional preparation for and adaptation to a rapidly changing global environment based upon regional mapping of projected sea-level rise and any resulting amplification of localized impacts of tropical cyclone events. Such strategies shall incorporate climate preparation concerns for the regional economy, regional infrastructure and the built environment, social and cultural needs, and natural systems within the four counties party to this compact.

SECTION 7: That each county shall commit to participating with other counties party to this compact in hosting the Second Southeast Florida Regional Climate Change Summit in October, 2010.



Adopted December 8, 2009



Adopted December 1, 2009



Adopted January 20, 2010¹*



Adopted December 15, 2009

*City of Key West: Resolution of support for the Compact – December 15, 2009

¹ Second adoption date following minor changes made by partnering Counties

Appendix B - Work Group Recommendations

The recommendations put forth in the Regional Climate Action Plan were developed through a collaborative process involving nearly 100 subject matter experts from a host of professions representing the public and private sectors, area universities, and not-for-profit organizations. These stakeholders brought to the table the knowledge of their “craft” as well as information on successful initiatives already underway locally or in other communities.

Many of the recommendations build upon best practices sprinkled throughout our region, such as regional collaboration on transportation planning and land use criteria that foster walkable and healthy communities. Others delve into “new” frontiers in calling for the integration of climate change into planning and decision-making processes in ways that no local government has yet implemented.

Below are the full set of recommendations, organized as focal areas and strategies, offered by each of the three working groups: Built Environment Working Group, Land and Natural Systems Working Group, and the Transportation Working Group, as they were submitted.

Built Environment Work Group

Focal Areas and Strategies

Final Draft August 15, 2011

Focal Area 1

Create Land Development Strategies for Climate Resilience, Sustainable Growth, Risk Reduction, and Emergency Preparedness

There is a demonstrated synergy between sustainable development practices and efforts to improve community resilience to climate change impacts. By promoting a “no regrets” approach, it is possible to affect positive outcomes that further regional climate change mitigation and adaptation goals while improving community livability, economic opportunities and resource sustainability. These adaptation strategies address: building design, elevation and hardening; transportation networks; other critical public infrastructure (potable water, wastewater, stormwater and energy/power); and green infrastructure.

Strategies

1) **Regional Planning:** Incorporate “Adaptation Action Area” designation, and other applicable provisions, into local Comprehensive Plans and regional planning documents to identify those areas deemed most vulnerable to sea level rise and other climate change impacts including extreme high tides, heavy local rain events, storm surge, or inadequate drainage systems.

Action 1: Perform vulnerability analysis to identify and quantify the economic value of regions and infrastructure at risk under various sea level and other climate change scenarios utilizing inundation mapping, modeling, and other appropriate tools.

Action 2: Identify and designate “Adaptation Action Areas” (AAA) based on the results of vulnerability analyses. Inside AAA, local governments should identify “Adaptation Areas,” “Restoration Areas,” and “Growth Areas.”

Adaptation Areas – designate areas within the AAA that include developed vulnerable land targeted for infrastructure improvements or modified land use and/or development practices in order to reduce risks and improve hazard mitigation. In these areas, the high cost of retrofitting, building and maintaining infrastructure is outweighed by the return in investment.

Restoration Areas - designate areas within the AAA that include vulnerable lands that may or may not be already developed and could include Coastal High Hazard area and high storm surge areas. Local governments should place priority on the acquisition of land in these areas for restoration, agriculture, or recreational open space.

Growth Areas – to consist of areas outside of the AAA where growth is encouraged due to higher topographic elevations and the presence of existing transportation infrastructure. These designated areas should be developed with Urban Design guidelines that address character of urban place and provide a high quality pedestrian experience through landscaping, and the creation of public space.

Action 3: Provide public outreach and education to better inform the community about the need for climate change planning, the provision in state law that provides for the designation of “Adaptation Action Areas,” and the purpose and implications of such a designation.

2) Local Planning and Zoning: Develop policies, strategies, and standards that will serve to reduce future risk and economic losses associated with sea level rise and flooding in these designated areas through infrastructure improvements and by directing future development and redevelopment to areas outside AAA. This will also foster sustainable growth patterns, multi-modal transportation options, transit, mixed use development, and the use of sustainable building techniques.

3) Building Code: Revise building codes and require increased resiliency of buildings and infrastructure for new and redevelopment, particularly for those areas within Adaptation Action Areas.

4) Emergency Preparedness: Evaluate adaptation responses for communities at risk and enhance preparedness measures to address climate-related risks and hazards.

Action 1: Improve adaptation responses for communities at risk with the development and implementation of:

- Methodologies for the assessment and evaluation of evacuation and relocation options
- Model evacuation policies and procedures for communities at increased risk of flooding
- Model relocation policies for affected communities

Action 2: Incorporate climate change adaptation in the relevant Local Mitigation Strategy (LMS) to reduce or eliminate long-term risk to human life and property from disasters. Within the LMS, update local risk assessments to include climate change in the hazard analysis and vulnerability assessment section.

5) Education: Develop outreach programs to increase public awareness about hazards exacerbated by climate change and mitigation and adaptation strategies by the local government to minimize damage and risk.

Focal Area 2

Ensure the Long-term Adequacy of Surface Water Management Systems, Water Supplies and Wastewater Infrastructure

Climate change presents an array of challenges to future water supply planning and water management efforts. The combined influences of altered precipitation patterns, increased groundwater elevations, and sea level rises present complex hurdles to regional and local efforts in providing critical drainage and flood control; high quality, sustainable, and abundant water supplies; and effective management of stormwater and wastewater. By assuming an integrated approach to water resource management and climate adaptation planning, the influence of a changing climate on the quality and quantity of water resources and related infrastructure can be effectively addressed. Interrelationships between stormwater management, water supply, wastewater disposal and water reuse must be reviewed and actions implemented to ensure the beneficial supply and use of all available water resources in a manner that benefits the public, protects resources, accounts for future conditions, and provides for necessary levels-of- service.

Strategies

1) Risk Assessments: Inventory existing potable water, wastewater, and stormwater treatment, delivery and collection systems; assess the status of each component; determine the potential impact from climate change; and develop different climate change scenarios and adaptation strategies for high-risk utilities and/or infrastructure which may require replacement, reinforcement, or relocation to ensure the long term viability of the system.

Action 1: Identify and/or develop baseline hydrologic conditions to provide a measure for comparison in assessing the potential impacts of climate change on regional and local water resources and infrastructure, including the short-term the development of a saltwater intrusion baseline.

Action 2: Utilize inundation mapping, variable density models, and water management models to identify areas and infrastructure at risk.

Action 3: Identify and quantify vulnerable wellfields, water supply infrastructure, wastewater collection and/or treatment infrastructure, and drainage facilities, and devise strategies to protect or relocate, as needed.

2) Reuse and Aquifer Recharge: Identify opportunities to advance beneficial use of stormwater and reclaimed water to reduce potable water demands and provide aquifer recharge and implement as appropriate, as an alternative to disposal.

Action 1: Evaluate the impacts of rising sea and groundwater levels on soil storage, infiltration rates and inflow to stormwater and wastewater collection and conveyance systems; consider longer-term influences on water quality; and develop strategies for implementing reclaimed water and stormwater reuse projects that account for current and future conditions.

Action 2: Identify potential sites for use in providing stormwater storage and mechanisms to increase aquifer recharge as a means for managing saltwater intrusion and enhancing water supplies.

Action 3: Consider regional projects and opportunities to gain efficiencies through collaborative approaches and projects.

3) Integrated Water Resource Planning: Develop Integrated Water Management Plans that present a joint assessment and planning strategy involving local water utilities, wastewater service providers, water managers, and partners to the Southeast Florida Regional Climate Change Compact, for coordinated consideration of stormwater use and disposal, traditional and alternative water supplies, wastewater disposal and reuse, and water conservation measures for use by local leadership to guide planning decisions as well as amendments to applicable codes and regulations.

4) Drainage and Flood Control: Identify and pursue adaptation strategies to improve drainage and flood control in areas designated as "Adaptation Action Areas" and where changing hydrologic conditions are anticipated to impact surface water management.

Action 1: Coordinate with the South Florida Water Management District, Drainage/ Water Control Districts, and public works officials to identify flood control and stormwater management infrastructure already operating below the design capacity.

Action 2: Develop and apply appropriate hydrologic and hydraulic models to further evaluate the efficacy of existing water management systems and flood control/drainage infrastructure under variable climate conditions.

Action 3: Develop and test adaptation improvements needed to maintain existing levels of service and conduct a cost-benefit analysis to prioritize potential improvements, trade-off decisions, and any proposed land acquisitions.

Action 4: Incorporate and prioritize preferred improvement projects in capital improvement plans and pursue funding.

5) Everglades Restoration: Support and advocate for complete implementation and funding for the Comprehensive Everglades Restoration Plan as fundamental to Everglades restoration, but also the viability of local water resource management efforts given the overall contributions of the Everglades to regional water storage and aquifer recharge, which will become increasingly important under variable climate conditions and in the face of sea level rise.

Focal Area 3

Reduce Greenhouse Gas Emissions through Improved Regional Strategies for Energy Efficiency, Conservation & Renewable Energy

Climate change mitigation can be addressed through plans, incentives, and regulations which promote the efficient use of energy in buildings, transportation and industry; through the use of less carbon-intensive energy sources; and through the production and use of renewable energy. Regulatory barriers to alternative energy generation must be removed in order to allow these sources of energy to be tapped. Federal and state policies that promote alternative energy use, such as renewable energy portfolio standards for utilities and tax credits for home owners installing small-scale renewable systems must be developed.

Strategies

1) Regional Coordination: Undertake regional efforts to advance energy-efficiencies, energy conservation and the deployment of renewable and alternative energy technologies in existing and proposed developments through local ordinance, incentives, education, and energy efficiency financing.

2) Green Building Code: Incorporate sustainable building and neighborhood ratings or national model green building codes, including but not limited to those defined in Section 255.253(7), F.S., into municipal codes region-wide.

3) Local Codes: Develop and implement amendments to local and state building codes, land use regulations and laws to facilitate and encourage the installation of renewable energy systems. Examine existing zoning codes and development standards and revise and update provisions that act as a barrier to the installation and use of renewable energy systems.

4) Finance: Work collaboratively toward the establishment of regional framework to deliver Energy Efficiency and Renewable Energy finance options, in addition to other local government initiatives and partnerships, to advance regional greenhouse gas emissions goals, the use of alternative and renewable energy technologies, and in furtherance of green sector economic development.

5) Goals: Set recurring 5-year regional goals to increase renewable energy capacity – which include the co-benefits of economic development and job creation -- through revision of building and zoning codes and architectural design guidelines to allow for, and encourage, integration of renewable energy sources and technologies.

6) Measures: Build upon established methodologies and mechanisms for Greenhouse Gas measurement, verification and validation to create quantifiable recordkeeping and reporting which conforms with accepted global standards.

7) Education: Provide education and improve communications on energy efficiency and available technologies with a focus on both short-term and life-cycle economic and energy gains, incentives available within the region (federal, state, local and commercial).

Land and Natural Systems Working Group

Priority Recommendations

Monitor Climate Change

- a. Establish coordination with NOAA regarding trends in rainfall patterns. Choose an annual conference or other venue at which such trends can be reviewed at regular intervals.
- b. Monitor changes in rainfall patterns to better predict future wet-season and dry- season rainfall as well as the salt content in the wells of agricultural lands.
- c. Develop a vital signs status and trends monitoring program for biological communities. Key parameters may include rate of sea-level rise; saltwater intrusion boundary and monitoring wells; landscape-level vegetation patterns; percent cover in offshore reef zones; water temperature and pH in areas; and occurrence and range of invasive exotic plants and animal species. Ensure Department of Health beach water quality monitoring continues and expand methods of notifying the public and tourism industry when exceedances are detected.

Water Storage

It is probable that climate change will also bring about changes in rainfall patterns, either by quantity, intensity in any given rain event or seasonality and perhaps all of these. Although the extent of such changes cannot be known, it is known that fresh water storage can ameliorate such changes.

- a. Identify lands to be used for water storage to ameliorate changes in rainfall patterns. Storage areas and methods should be planned and located to accommodate drinking water supply, agricultural consumption, accepting flood waters and to maintain hydroperiods on natural lands.
- b. Identify and promote other land uses compatible with water storage including wetland restoration, certain agricultural operations and certain renewable energy production facilities. Develop joint acquisition and management strategies with these other entities.
- c. Manage water storage in the region's publicly-owned uplands and wetlands.
- d. Encourage continued funding for the Comprehensive Everglades Restoration Plan (CERP).
- e. Support CERP Everglades Agricultural Area (EAA) flow-way plans that increase freshwater flows to the Everglades, maximize freshwater storage and provide opportunities to improve water quality by establishing marsh communities.

Resource Acquisition

Acquisition efforts should emphasize preserving existing species diversity as well as considering changing rainfall patterns and elevated saline waters, increasing the region's resiliency against the impacts of natural hazards.

- a. Develop acquisition priorities in a regional setting to:
 1. Ensure preservation of many habitat types and that those types will be represented in a changing climate.
 2. Protect high quality drinking water supply
 3. Identify hot spots of biological diversity and ensure those locations are either protected or are identified for future land acquisition.
 4. Identify and protect higher level lands to which mangrove and salt-marsh species might 'retreat'.
- b. Assess acquisition priorities in light of changing rainfall patterns, i.e., if rainfall is more, is the parcel still valuable for identified vulnerable species, if rainfall is less, is the parcel still valuable to other vulnerable species. Consider linkages and migration opportunities for vulnerable species.
- c. Incorporate "Adaptation Action Area" designation into local comprehensive plans and regional planning documents to identify those natural areas deemed most vulnerable to climate change impacts including changes in sea level and rainfall patterns.
- d. Share acquisition priorities among planning and regulatory agencies
- e. Promote federal, state and local government conservation land acquisition programs that including fee simple and less-than-fee approaches to conserve natural areas, protect open space and create or maintain resilience and adaptive capacity by maintaining or creating connectivity among natural areas from the coast to inland/upslope.
- f. Following the model set by Monroe County, link rate of new construction permit issuance to conservation land acquisition rate.
- g. Monetize ecological services provided by natural systems and create a sustainable funding mechanism for their protection and management.

Resource Management

Climate change will likely bring about more rapid introduction of exotics species. Some tools, such as prescribed fire, may become more difficult to implement. Management efforts may become more intense as lands are managed for certain vulnerable species. Regional cooperation among land management entities will become more essential.

- a. Coordinate regional invasive exotic species prevention and control efforts emphasizing prevention of new invasions and early detection/rapid response to nascent invasions.
- b. Coordinate regional fire management efforts emphasizing frequent, low intensity fire regimes in wetland and pine forest systems to maximize habitat quality, resilience to change and carbon neutrality while preventing fuel load build up that leads to major carbon releases.
- c. Coordinate “living shorelines” objectives at regional scale to foster use of green infrastructure (e.g. coral reefs and mangrove wetlands) instead of or in addition to grey infrastructure (e.g. bulkheads).
- d. Leverage existing work of the Florida Reef Resilience Program's “Climate Change Action Plan for Florida’s Coral Reef System 2010-2015 for protection of marine habitat.
- e. Maintain natural resources critical to support the Region's Largest Economic

Sectors

Migration & Species Diversity

- a. Identify potential species and habitat vulnerabilities to extremes in precipitation, including extended drought and intense storms, combined with higher temperatures.
- b. Examine water control structures to ensure that they can provide for inland or upstream migration of riparian species as freshwater habitats become more saline.
- c. With the assistance of climate models, maintain or restore multiple areas of habitat and large-scale connectivity to facilitate population stability and habitat shifts resulting from climate change.
- d. Minimize diversity and abundance of habitat-homogenizing exotic plant and animal species by monitoring for introductions, colonization, establishment, and connections with other populations.
- e. Engage and cooperate with marine resource agencies to maintain coral reef (e.g., selective breeding) and mangrove ecotones as estuarine habitat and natural barriers to storm surge for maintaining coastal biodiversity.

Public Outreach

- a. Modify existing public outreach, education and engagement programs at natural areas (including upland, wetland, marine, coastal and nearshore environments) to include climate change mitigation and adaptation messaging and volunteer opportunities to enhance green infrastructure that will facilitate climate change resilience and adaptation.
- b. Initiate a regional public education campaign to educate residents, business owners, policy makers on the merits of preserving open land as an ‘insurance policy’ for adaptation to sea level rise in South Florida.

Agricultural Lands

Research

- a. Identify & secure research funding to include but not limited to:
 - i) Review and document freshwater marsh peat potential responses to saltwater intrusion.
 - ii) Monitor root-zone salinities and changes to vegetation communities. Adapt planning and management in response to surprises.
 - iii) Identify seagrass, mangrove, and coastal freshwater marsh environmental tolerances to changing factors such as salinity, water depth, substrate, and nutrients. Use this information with climate and hydrological modeling to aid management.
 - iv) Improve Florida Bay shallows bathymetry and use SLR and storm surge modeling to aid identification of habitats at risk.
 - v) Better identify linkages between marine system (e.g. coral reefs and mangrove wetlands) area/condition and hazard risk reduction.

Policy

- a. Develop regulatory requirements that compatible dredge material may be utilized in the restoration of previously existing or establishment of new seagrass beds.
- b. Ensure that zoning regulations allow for the ability of plant and animal species to migrate inland as sea levels rise (e.g., limit armoring.) Ensure that land acquisition priorities consider landscape features which may limit species ability to migrate in response to sea level rise and other impacts related to climate change.
- c. Enforce Coastal Construction Line and Coastal High Hazard Area designations.
- d. Develop policies and regulations that will serve to reduce future risk and economic losses associated with sea-level rise and flooding in these designated areas through infrastructure improvements, insurance subsidization of high- hazard development and by directing development and growth to non-vulnerable areas.

Protected and Vulnerable Species

In the coastal Everglades, higher elevation plant species may be at more of a risk from sea-level rise than the surrounding freshwater marsh because the marsh can migrate inland, but the upland berms are isolated and their dependent species have no path for migration. Twenty-one of the 43 critically imperiled species extant in Everglades National Park occur in the buttonwood forests coastal hammocks of the Everglades and Florida Keys. In all initiatives aimed at protecting the natural environment, first emphasize a broad ecosystem approach, then evaluate potential conflicts with specific protected resources. Where conflicts are recognized, attempt to resolve them with the least compromise to broad ecosystem values.

- a. Identify those narrow beaches lacking natural dunes which might possess high turtle-nesting density but which might also be prone to high nest mortality due to nest wash-out during more frequently expected storms and Identify more stable 'receiving' beaches to which nest may be relocated.

- b. Develop long-term turtle-nesting beach preservation strategies and methods in advance of anticipated coastal armoring which might result in loss of beach nesting habitat.
- c. Identify zoos, aquariums, herbariums and gardens that might be the repository for seed stock and captive breeding programs for those listed plants and animals under imminent threat of local extirpation due to sea-level rise.
- d. Compile species information for rare plant species in coastal hardwood hammocks and buttonwood forests and develop adaptation plans that include, at a minimum, seed bank repository collection and assisted propagation.

Additional Language for Consideration:

During the five years of this initial Regional Action Plan, those areas within the Southeast Florida region that have been deemed most vulnerable to impacts associated with sea-level rise based upon LiDAR mapping and vulnerability assessments, will be monitored for impacts. These impacts may be from extreme high tides, heavy local rain events, storm surge, or inadequate drainage systems. Those areas most impacted by these events will be considered for inclusion into one or more of the "Adaptation Action Areas".

Climate change imposes long-term, continuous change on systems. Continuous changes make management goals a moving target and an observable systems response to actions under current conditions only a partial indicator of success. An adaptive management strategy must include preparation for long-term, often gradual changes with potential for large abrupt changes. Successful use of this strategy will require ecological and physical modeling to develop hypotheses and goals. Integration of directed research, management, and research-focused monitoring, risk assessment, and database management will be critical.

Transportation Working Group

Focal Areas and Strategies

The first focal area addresses adapting transportation infrastructure to the impacts of climate change as well as planning policies to guide prioritization and investment that take into account climate change impacts and emissions reductions. Incorporating climate change considerations into planning and project programming processes would provide the opportunity for transportation professionals and decision makers to develop the most cost effective strategies to best address the impacts of climate change on transportation infrastructure.

The next focal areas are strategies to reduce emissions and are organized by the following categories: alternative fuels and vehicle efficiency, system operation efficiencies, and vehicle miles traveled. Each area is often referred to as a leg of a stool, recognizing the importance of addressing all areas to achieve a balance, a strong foundation to build upon. Clearly, there is no silver bullet approach to reducing emissions; it will take a variety of approaches to achieve emissions reductions. Strategies to reduce vehicle miles traveled and provide for multiple modes of travel should be emphasized because of their long-term emissions reductions benefits and health and social benefits. This approach addresses the three pillars of sustainability and aligns with the Federal Livability Principles developed in 2009 to help guide transportation and other planning conducted at the local and regional levels and federal investment decisions.

A final focal area is dedicated to funding issues and federal policies and programs critical to the success of local and regional efforts.

Focal Area 1

Develop strategies to evaluate risk, adapt the existing transportation infrastructure, and prioritize future investments that maximize resiliency and greenhouse gas (GHG) emissions reductions.

Strategies

- 1) Identify means to effectively engage the multiple public and private sector entities with roles and responsibilities involving the provision and maintenance of transportation infrastructure and the delivery of transportation services in the region. Document current and evolving coordination efforts among these entities.
- 2) Work together to identify transportation infrastructure at risk from climate change in the region; determine whether, when, where, and to whom projected impacts from climate change might be significant. Employ inundation mapping, modeling and other appropriate tools to assess the vulnerability of transportation infrastructure to the projected impacts of climate change under various sea level rise and other climate change scenarios. At a minimum, assess the vulnerability of the following transportation infrastructure:
 - a) Local transportation networks of the Compact Counties
 - b) The tri-county Regional Transportation Network¹ designated by the Southeast Florida Transportation Council (SEFTC), which includes facilities that provide the highest level of mobility, strategic transportation facilities that are critical to region's economy and quality of life, including corridors (roadway, rail, waterway), airports, seaports, freight rail terminals, passenger rail and intercity bus terminals, and evacuation routes.
- 3) Develop adaptation actions that prioritize the people, places, and infrastructure most vulnerable to the projected impacts on the transportation network. Use a risk-management approach to adapt the existing network including criteria such as timing, likelihood, intensity of anticipated risks as well as costs relative to action versus inaction (description in the Circular on *Adapting Transportation to the Impacts of Climate Change State of the Practice 2011* <http://onlinepubs.trb.org/onlinepubs/circulars/ec152.pdf>. Best practices also available from NY, CA, and London.)
 - a) Develop regional priorities for short and long term maintenance and retention of the transportation network for a 50 year and a 100 year timeframe; evaluate the costs and benefits for maintenance and retention of existing transportation infrastructure, or construction, maintenance and retention of new infrastructure.
 - b) Address issues of inequality and environmental justice associated with climate change impacts and adaptation. Involve all parts of society in the development design and implementation of adaptation actions addressing the transportation network.
 - c) Identify those strategies that provide co-benefits, such as improving disaster preparedness, promoting sustainable resource management, and reducing GHG emissions including the development of cost-effective technologies.

¹SEFTC, Technical Memorandum #8: *Regional Transportation Network*, April 2010. This network for Miami-Dade, Broward and Palm Beach counties is composed of regional interstate and expressway facilities; major regional facilities (urban or rural principal arterial roadways and other roadways that cross county lines); regional connection facilities, regional facility designation extensions, Strategic Intermodal System hubs, corridors and connectors designated by the Florida Department of Transportation; adopted physical extensions of current regional facilities; and the statewide regional evacuation network with termini determined by the South Florida and Treasure Coast Regional Planning Councils and the state legislature.

4) Integrate consideration of climate change impacts and adaptation into the planning, operations, policies, and programs of local and regional transportation agencies.

a) Develop policy statements to incorporate the consideration of climate adaptation into planning processes and investment decisions and adopt the U.S. Department of Transportation's Guiding Principles for Climate Change Adaptation

- Adopt integrated approaches.
- Prioritize the most vulnerable.
- Use best-available science.
- Build strong partnerships.
- Apply risk-management methods and tools.
- Apply ecosystem-based approaches.
- Maximize mutual benefits.
- Continuously evaluate performance.

(<http://www.dot.gov/docs/climatepolicystatement.pdf>)

b) Develop policies to incorporate climate change adaptation strategies into hazard mitigation and post-disaster redevelopment planning.

c) Develop policies to address new transportation infrastructure development - to consider future floodplain conditions and vulnerable areas – e.g. rerouting of roads because of potential flood damage.

d) Modify or develop new design standards for transportation infrastructure located in identified vulnerable areas, e.g. asphalt concrete composition, bridge design, elevation, stormwater management. i.e. Include different pitches combined with stormwater design and/or use of more permeable surfaces to effectively remove water from the roadway; Explore roadway materials that may be utilized in road construction that are more tolerant to quick changes in hot or cold weather, or more tolerant of extended periods of extreme temperatures, in order to decrease repair costs, enhance safety, and increase longevity of road surfaces.

e) Develop and require a training program to educate professionals in relevant fields (e.g., architecture, engineering, and construction management) to incorporate adaptation to climate change as a basis for establishing design criteria for new transportation infrastructure. Completion of such training to be a condition for relicensing. (FL Energy & Climate Action Plan – Adaptation Strategies, pg. 8-7).

f) Consider the adoption of a "Green" road design and construction sustainability rating system. (Best practice research: NYDOT, University of Washington)

5) Focus investments and service expansions on strategies contributing to greenhouse gas emissions reductions and enhancing resilience to climate change.

a) Continue and enhance regionally coordinated transportation planning through the Regional Long Range Transportation Plan (RLRTP). Identify goals and objectives in the

RLRTP whose ultimate attainment reinforces the desired achievement of GHG emission reductions and enhancing resilience to climate change. Articulate the supportive role each objective has with respect to emissions reductions.

b) Transportation Investment Priorities. Give higher investment priority to transportation infrastructure, programs and services that will reduce greenhouse gas emissions. Performance standards for climate and related metrics, such as reduced VMT and increased mode split, should be incorporated in transportation and infrastructure programs.

i) Develop policies in local and regional planning processes to incorporate evaluation criteria and a process to rank and prioritize projects that meet plan goals and objectives, with an emphasis on those that reduce VMT and use of transportation modes other than the personal vehicle. Projects that enhance economic vitality should also be given priority, such as projects and service expansions along transit oriented corridors and those that improve connections to major airports and seaports. Develop performance measures related to climate change (i.e. VMT reduction) as a means to prioritize projects for funding.

c) Prioritize the funding of studies addressing effective adaptation and mitigation strategies, particularly those addressing barriers and assisting in integrating land use and transportation planning approach towards developing a transportation network that reduces vehicle miles traveled by ensuring transportation choices other than the use of personal vehicles.

e) Implement the recommendations in the RLRTP to incorporate/use modal prioritization tools.

6) Other

a) Develop early warning systems and social media applications (apps) to both inform residents and visitors of high-tide events and to raise overall awareness.

b) Identify incentives to encourage migration to less vulnerable areas.

Additional language for consideration:

Incorporate "Adaptation Action Area" designation into local comprehensive plans and the Regional Climate Change Action Plan for those areas within the Southeast Florida region that have been deemed most vulnerable to impacts associated with sea level rise. Within the "Adaptation Action Areas", special regulations will be established to reduce or eliminate the potential for damage from flooding. During the five years of this initial Regional Action Plan, those areas within the Southeast Florida region that have been deemed most vulnerable to impacts associated with sea level rise based upon LiDAR mapping and vulnerability assessments, will be monitored for impacts. These impacts may be from extreme high tides, heavy local rain events, storm surge, or inadequate drainage systems. Those areas most impacted by these events will be considered for inclusion into one or more of the "Adaptation Action Areas".

Focal Area 2

Develop strategies to reduce GHG emissions through use of alternative fuels, vehicle and system operation efficiencies, vehicle miles traveled (VMT) reduction, and provision of multiple transportation choices.

Strategies

Alternative Fuels & Vehicle Efficiency

- 1) Develop policies to create conditions for the development of alternative fuel (bio-diesel/ waste- based bio-diesel) and include these policies in regional plans and Local Comprehensive Plans. Incentivize and remove legislative, local code that may act as obstacle to stimulate the alternative energy industry.

(Example: Plan and program infrastructure improvements for Electric Vehicle Infrastructure (EVI) in collaboration with local utilities. Policies should be developed to incentivize private deployment of infrastructure. Solar charging for electric vehicles should be prioritized to improve the community's emergency management preparedness in times of power outages.)

- 2) Establish a working group of public and private stakeholders to develop a strategy to promote the use of Plug-in Electric Vehicles in the region.
 - a) Establish locations where infrastructure is needed. Solar charging options should be prioritized to maximize mitigation benefits and to improve the community's emergency management preparedness in times of power outages.
 - b) Develop policies to incentivize the deployment of infrastructure to complement transit oriented corridors. Reduced transit fares should be a consideration for riders accessing transit facilities by electric vehicles.
 - c) Work with relevant stakeholders to streamline permitting processes associated with charging equipment to encourage the safe and expeditious installation on customer premises and elsewhere.
 - d) Coordinate monetary and non-monetary incentives available to the general public and organizations purchasing electric vehicles.
- 3) Develop strategies to promote fuel efficient driving habits.
 - a) Conduct best practice research on existing campaigns and look for opportunities to Integrate tools into existing high school, county and municipal driver education courses, traffic school curriculum, truck driver training, and fleet associations. http://climatechange.transportation.org/ghg_itigation/operations.aspx)

System Operation Efficiencies

- 1) Develop a toolbox of successful strategies to maximize the efficiency of the existing transportation network that have been used by partners in the region. When feasible information should include implementing steps, costs, and effectiveness of GHG emissions reductions. Some strategies to consider include the use of roundabouts, traffic signal prioritization for transit, queue jumps, etc.

2) Develop policies to facilitate and streamline the deployment of energy efficient and renewable energy such as the installation of LEDs and/or solar for public infrastructure such as street lighting, parks, parking facilities.

a) Survey counties and regional agencies with lighting infrastructure to determine the level of deployment and to gather best practice policies and implementation steps to facilitate the application of efficient lighting practices in additional infrastructure.

3) Develop a strategy for incentivizing the development of truck parking with electrification facilities and the use of auxiliary power units to reduce extended idling by trucks.

a) Survey transportation agencies (MPOs, FDOT, etc.) for existing studies identifying trucking patterns and needs.

b) Identify strategic locations for truck parking facilities and seek competitive funding opportunities as a region.

4) Develop policies to reduce the impact of transportation construction, maintenance, and agency operations - such as substituting fly ash for cement, using warm-mix instead of hot-mix asphalt- on GHG emission reduction, and require construction contractors to implement emissions reductions practices. Incorporate actions that reduce GHG emissions during project development and implementation, such as using recycled materials, incorporating low carbon cement mixtures, utilizing alternatively fueled vehicles, and purchasing locally or regionally manufactured materials.

5) Provide seamless transitions between transportation modes to increase the use of low carbon modes for the movement of people and freight in the region.

a) Improve connections between Tri-Rail and county transit service, municipal trolley and community shuttle bus services (may include re-alignment of routes). District circulators (Metro Mover in downtown Miami connects to Metro Rail) provide the last leg of a commute for transit riders and should have high frequency and ease of transfer.

b) (Placeholder for regional freight strategies to integrate the many regional activities underway, e.g. periodic convening of regional freight summits providing opportunities to address that audience, development of a virtual freight network, studies exploring the potential for freight rail on a western corridor, etc.)

c) Improve the transfers between transportation modes and move towards the delivery of a seamless fare media across the region.

d) Develop planning strategies to address planning for the "First and Last Mile" of transit trips.

Reduce Vehicle Miles Traveled and Promote Multiple Modes

Local communities with mixed-use developments and streets designed to encourage non-motorized modes of transportation are expected to reduce personal automobile trips. There is a need to connect those communities to corridors that link to regional employment centers and other destinations through low-carbon transportation options. The policies in this area will be developed to support the Federal Livability Principles which among other things emphasize the reduction of household transportation costs for people of all ages, incomes, races and ethnicities through reliable access to employment centers, educational opportunities, services and other basic needs.

1) Land Use Approaches.

- a) Require new development and redevelopment projects in existing and planned multimodal corridors and urban centers to be planned and designed to promote transit oriented development and transit use, which mixes residential, retail, office, open space and public uses in a pedestrian-friendly environment that promotes the use of rapid transit services.
- b) Develop policies to plan Transit Oriented Developments (TOD) along Transit Oriented Corridors (TOC). Consider the Regional Transportation Network in the development of potential TOCs. Develop policies to streamline the approval process for TODs.
- c) Explore expansion of activity based transportation modeling to more accurately predict, inform, and utilize transit trip data.
- d) Develop policies to improve the movement of non-motorized modes through the adoption of best practice models including Complete Streets.
 - i) Develop guidelines, models, and implementation projects to accelerate implementation.
 - ii) Identify partners and resources to support training and the research into new techniques for transportation design professionals.
- e) Modify local land use ordinances to encourage compact development patterns.
 - i) Adopt form-based codes or hybrid codes that use physical form, rather than separation of land uses, as their organizing principle and that take into consideration the urban transect or context zones.
 - ii) Consider regional implementation of rapid transit zones to maintain land use control around a station with multiple jurisdictions.
- f) Consider the adoption of green neighborhood certification programs to guide decision making and development and to provide an incentive for better location, design, and construction of new residential, commercial, and mixed-use developments.

2) Transit Options – Transit

- a) Study increasing service frequency on key routes and developing targeted transit routes, in the model of I-95 express to bring people directly from residential areas to regional centers of employment. Another example is “The Flyer” route from MIA to Miami Beach. Utilize existing studies of direct routes to inform this process.
- b) Leverage limited resources for campaign and promotional advertisements by coordinating regional public transportation messaging to attract “choice” riders. Messages should focus on making riding transit cool.
- c) Deploy social media applications, (apps) to facilitate use of transit including access to real-time information such as arrival times.
- d) Increase the amenities available to transit passengers, such as shade, shelters, kiosks, and real time boarding information.

3) Transportation Demand Management

- a) Vanpool/Carpool programs - Work with MPOs and South Florida Commuter Services to identify opportunities to expand these programs.
- b) Car & Bike Sharing Programs - Work with companies providing these services and strategic partners (universities, municipalities, large employers, etc.) to establish zip car, bike sharing and personal vehicle sharing programs.

4) Bicycle Facilities

- a) Prioritize implementation of planned bicycle and pedestrian networks. Evaluate whether these facilities are connected regionally and on a local scale to major employment, education, and recreation centers.
- b) Implement roadway project checklist that includes measures of pedestrian and bicycle accommodation.
- c) Consider regional adoption of Transit and Biking programs that aim to improve access to transit.
- d) Develop policies to increase designated bike parking facilities at commercial and retail developments.

Focal Area 3

Federal Policies needed to support local and regional efforts

- 1) Federal Surface Transportation Authorization. Support new authorization of the federal surface transportation programs with increased priority for funding public transit and non-motorized travel and integrated regional and metropolitan planning as means to reduce the greenhouse gas emissions from the transportation sector. The federal program needs to explicitly incorporate climate change and shift priorities toward programs that encourage reinvestment in existing infrastructure and communities ("fix-it-first" programs), support public transportation and transit-oriented development, and address congestion management through means other than road building.
- 2) Reform Transportation Models and Enhance NEPA Processes. To recognize when shifts are taking place in the true costs of road and transit, the surface transportation authorization legislation should encourage the development of up-to-date models and tools that measure the relative shifts in auto and transit costs, both up-front and on an operating basis as well as costs related to climate impacts and performance. Further, the U.S. Department of Transportation should be directed to develop ways and means to enhance the NEPA process in this regard as NEPA is central to all highways and transit project investment analysis.
- 3) Increase CAFE Standards. Establish stronger Corporate Average Fuel Economy (CAFE) Standards and enforce their adoption.

Appendix C - Contributing Technical and Staff Experts

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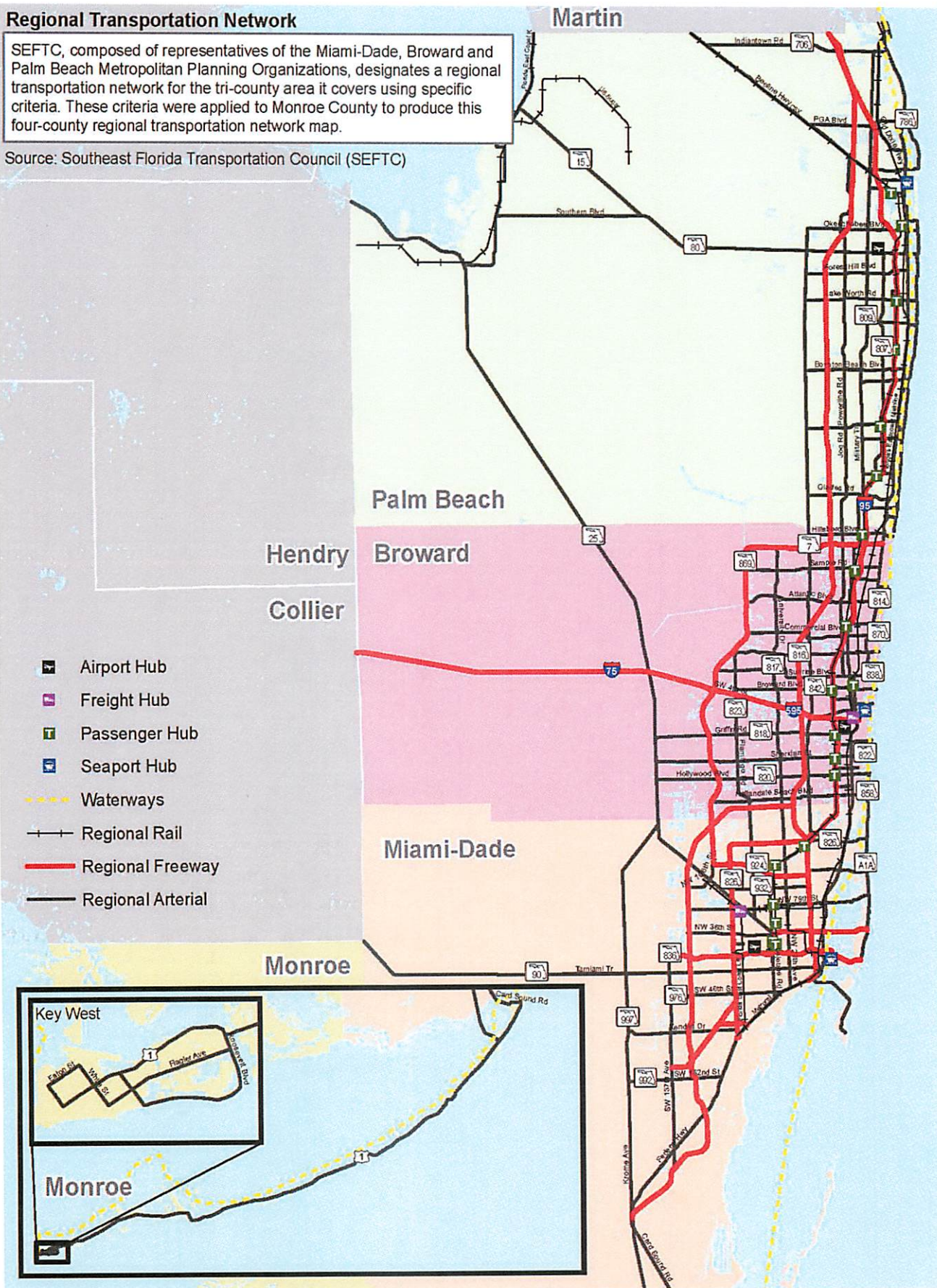
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Appendix D - Regional Transportation Network

Regional Transportation Network

SEFTC, composed of representatives of the Miami-Dade, Broward and Palm Beach Metropolitan Planning Organizations, designates a regional transportation network for the tri-county area it covers using specific criteria. These criteria were applied to Monroe County to produce this four-county regional transportation network map.

Source: Southeast Florida Transportation Council (SEFTC)



IX. Supporting Documents

The following support documents from the Southeast Florida Regional Climate Change Compact are available on the Compact website at:

southeastfloridacclimatecompact.org

- A. Regional Climate Action Plan Implementation Guide
- B. Compact Counties' Policy and Advocacy Implementation Report
- C. Regional Greenhouse Gas Emissions Inventory Baseline Period: 2005 – 2009
- D. A Unified Sea Level Rise Projection for Southeast Florida
- E. Analysis of the Vulnerability of Southeast Florida to Sea Level Rise

The White Paper on Adaptation Action Areas by the Florida Department of Economic Opportunity (Support Document F) is also available on the Compact website.

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Page 43:	Children planting trees, provided by Broward County
Page 44:	Compact press conference after BP spill, provided by Broward County From left to right: Monroe County Commissioner George Neugent, Miami-Dade County Commissioner Katy Sorenson, Palm Beach County Commissioner Shelley Vana, and Broward County Commissioner Kristin Jacobs.
Page 51:	People exiting South Beach bus, provided by Miami-Dade County
Back Cover:	Mom and son at beach, provided by Miami-Dade County



**SOUTHEAST FLORIDA
REGIONAL COMPACT
CLIMATE
CHANGE**



This document was produced by the Southeast Florida Regional Climate Change Compact, a regional collaborative including Broward, Miami-Dade, Monroe and Palm Beach Counties, and promulgated at a cost of \$4,634 or \$6.62 per copy, for the purpose of providing information on climate change planning strategies relevant to Southeast Florida.



Town of Surfside Commission Communication

Agenda Item #: 3H
Agenda Date: May 15, 2013
Subject: Emergency Operation Plan Update

Background: The Town of Surfside's Emergency Operation Plan (EOP) was completed in 2008. The purpose of the EOP is to guide the Town's emergency response and recovery operations by reducing vulnerability of people and property from large scale disasters and ensuring long term recovery. The EOP should be updated every four years to ensure that it is in compliance with the National Incident Management System and consistent with the County's Comprehensive Emergency Management Plan. Town Staff held an initial planning meeting on February 22, 2013 to update the Town's Emergency Operation Plan. The Department Heads were assigned to their areas of responsibility. Department Heads were required to ensure that their personnel have the mandated NIMS training. Emergency plan information was collected and provided to the consultant to add to the update. Below is a summary of the updates which were incorporated into the new EOP.

- **NIMS Compliance:** The National Incident Management System (NIMS) based position assignments were not clearly identified nor were the associated training requirements. The plan develops position specific assignment tables which includes positions names and the associated federally required training.
- **Organizational Assignments:** The plan now incorporates a series of tables and charts which detail roles and responsibilities for both a minor incident affecting the Town as well as a catastrophic level disaster.
- **EOC Operating Procedures:** The plan includes a detailed set of procedures which illustrate how the Emergency Operations Center will function once activated. It incorporates room layout, technology requirements, activation protocols, operational guidance, and forms to use during the activation.

- **Miami Dade County Comprehensive Emergency Management Plan Compliance:** The plan incorporated enhanced policies and tools from the County CEMP (2008) including updated county evacuation sites, Snapshot Rapid Impact Assessment process, Miami-Dade Alert Tool, Disaster Assistance Centers, refuges of last resort, and WebEOC.

- **Recovery Components:** The plan enhanced the Recovery Section to include damage assessment process details/forms/checklists, habitability assessment, disaster temporary housing, and the new county Post-Disaster Redevelopment Plan guidance.

- **Private Sector Role:** The plan also incorporated roles for the private sector and local procedures for coordination with organizations such as the Chambers of Commerce and Tourism.

- **Format Enhancement and Reorganization:** The entire plan was reformatted for easier and quick viewing including placement of the hazard vulnerability analysis and the preparedness sections in the rear of the document.

Budget Impact: The cost to update the Emergency Operation Plan was \$4,431. The project was implemented by Helene Wetherington, Director of Emergency Services for CGA. Ms. Wetherington, certified by the American Institute of Certified Planners (AICP) and the International Association of Emergency Managers (CEM), has a broad range of governmental experience in emergency management, including six years as assistant director for Palm Beach County's Division of Emergency Management and five years with the Florida Division of Emergency Management. She has responded to over twenty federally declared disasters. She holds Master's Degrees from Florida State University and Florida Atlantic University and has received executive leadership training from Harvard's John F. Kennedy School of Government.

Recommendation: Staff recommends that the Town Commission approve a resolution accepting the Town Emergency Operations Plan Update.


David Allen, Chief of Police


Michael Crotty, Town Manager

RESOLUTION NO. 13- _____

**A RESOLUTION OF THE TOWN COMMISSION
OF THE TOWN OF SURFSIDE, FLORIDA
("TOWN") ACCEPTING THE UPDATES TO THE
TOWN EMERGENCY OPERATIONS PLAN
APPROVED BY MIAMI-DADE COUNTY;
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Town of Surfside, in accordance with Chapter 252, Florida Statutes, has updated an Emergency Operations Plan (hereinafter EOP) (Attachment "A"); and

WHEREAS, the continued purpose of the EOP is to guide emergency response and recovery operations and describes the policies, strategies, operational goals and objectives to ensure a unified response with surrounding municipalities and Miami-Dade County to ensure effective emergency response and to mitigate the impacts of a disaster; and

WHEREAS, the EOP should be updated every four (4) years to ensure that it is in compliance with the National Incident Management System (NIMS) and consistent with Miami-Dade County's Comprehensive Emergency Management Plan (CEMP); and

WHEREAS, the NIMS plan develops position specific assignment tables which includes positions names and the associated federally required training; and

WHEREAS, the EOP now incorporates a series of tables and charts which detail roles and responsibilities for both a minor disaster affecting the Town as well as a catastrophic level incident; and

WHEREAS, the EOP includes a detailed set of procedures which illustrates how the Emergency Operations Center will function once activated; and

WHEREAS, the EOP incorporates room layout, technology requirements, activation protocols, operational guidance, and forms to use during the activation; and

WHEREAS, the EOP incorporated enhanced policies and tools from the County CEMP (2008) including updated County evacuation sites, Snapshot Rapid Impact Assessment Process, Miami-Dade Alert Tool, Disaster Assistance Centers, refuges of last resort, and WebEOC; and

WHEREAS, the EOP enhanced the Recovery Section to include damage assessment process details/forms/checklists, habitability assessment, disaster temporary housing, and the new county Post-Disaster Redevelopment Plan guidance; and

WHEREAS, the EOP also incorporated roles for the private sector and local procedures for coordination with folks such as the Chambers of Commerce and Tourism; and

WHEREAS, the complete EOP was reformatted for easier viewing and placement of the hazard vulnerability analysis and the preparedness sections in the rear of the document; and

WHEREAS, it is in the best interest of the Town of Surfside to adopt the Emergency Operations Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

Section 1. **Recitals.** The above and foregoing recitals are true and correct and are incorporated herein by reference.

Section 2. **Emergency Operations Plan Update Approved and Adopted.** The Town of Surfside Emergency Operations Plan Update attached hereto as Attachment "A" is hereby approved, the cost for updating and adopted by the Town Commission. In the event of an emergency, the Town Manager and the Chief of Police are hereby directed to conduct operations in accordance therewith. The Emergency Operations Plan shall be reviewed once again by the Commission in four (4) years from the date of approval.

Section 3. **Effective Date.** This Resolution shall become effective immediately upon its adoption.

Motion by Commissioner _____, Second by Commissioner _____.

PASSED AND ADOPTED this _____ day of May, 2013

FINAL VOTE ON ADOPTION

Commissioner Joseph Graubart
Commissioner Michelle Kligman
Commissioner Marta Olchyk
Vice Mayor Michael Karukin
Mayor Daniel Dietch

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, CMC
Town Clerk

**APPROVED AS TO FORM AND LEGALITY FOR THE USE
AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:**



Linda Miller
Interim Town Attorney



Town of Surfside Commission Communication

Agenda Item #: 3I

Agenda Date: May 15, 2013

Subject: Expenditure of Forfeiture Funds for the Purchase of Special Equipment

Background: On certain emergencies such as an active shooter event, the Police Department needs to have in place special equipment in order to respond effectively and safely. The special equipment required is breaching tools and less than lethal chemical agents. The specific breaching tools are a thundersledge, a hallagan tool, a tactical entry ram, and a padlockbuster. The chemical agents are a case of OC canister grenades. All officers will be trained with the equipment. Use of the equipment must be approved by a supervisor. The equipment will be safely secured in the garage.

Budget Impact: The cost for the police special equipment is \$2000 from the Forfeiture Fund. As of April 2013, there is an unexpended balance \$136,849 from FY 12/13 in this account. An additional \$13,100.77 was added to the account in April 2013 from closed 2011 investigations. The Surfside Police Department participates in a multi-agency money laundering narcotics task force that in 2013 has seized 18.7 kilos of cocaine, 1 kilo of heroin, 37 pounds of marijuana, 39 marijuana plants, 2 firearms, 4.9 million in currency, and made 15 arrests.

Staff Impact: N/A

Recommendation: Staff recommends that the Town Commission approved a resolution authorizing an expenditure of \$2000 from the Forfeiture Fund for police special equipment.


David Allen, Chief of Police


Michael Crotty, Town Manager

RESOLUTION NO. 13- ____

**A RESOLUTION OF THE TOWN COMMISSION
OF THE TOWN OF SURFSIDE, FLORIDA,
PROVIDING FOR THE FISCAL YEAR 2012/2013
POLICE CONFISCATION FUND EXPENDITURE
IN THE AMOUNT OF \$2,000.00 FROM THE
FORFEITURE FUND TO PURCHASE BREECHING
TOOLS AND LESS THAN LETHAL CHEMICAL
AGENTS FOR THE POLICE DEPARTMENT;
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, Section 881(e)(3) of Title 21, United States Code and Florida Statutes Section 932.7055, define the purposes and procedures for the appropriation and expenditure of funds from the Police Confiscation Fund; and

WHEREAS, the Chief of Police of the Town of Surfside has determined that the appropriation and expenditure of funds is necessary as further described in the Commission Communication attached hereto as Exhibit "A"; and

WHEREAS, such funds are available in the Police Confiscation Fund State of Florida and Federal Asset Forfeiture Program; and

WHEREAS, all officers will be trained with the equipment, and use of the equipment must be approved by a supervisor, and the equipment will be safely secured in the garage.

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF
THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:**

Section 1. Recitals. The above and foregoing recitals are true and correct and are incorporated herein by reference.

Section 2. Confiscation Fund Expenditures and Authorization. Based on the attached Certificate of Chief of Police (see Exhibit "B"), the Town Commission hereby approves the Fiscal Year Police Confiscation Fund expenditure in the amount of \$2,000.00 from the Forfeiture Fund to Purchase breeching tools and less than lethal chemical agents for the Police Department.

Section 3. Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED and ADOPTED this _____ day of May, 2013.

Motion by Commissioner _____, second by Commissioner _____.

FINAL VOTE ON ADOPTION

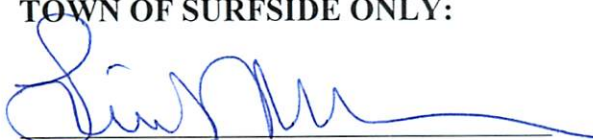
Commissioner Joseph Graubart	_____
Commissioner Michelle Kligman	_____
Commissioner Marta Olchyk	_____
Vice Mayor Michael Karukin	_____
Mayor Daniel Dietch	_____

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa
Town Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE
TOWN OF SURFSIDE ONLY:**



Linda Miller, Interim Town Attorney



Town of Surfside Commission Communication

Agenda Item #:

Agenda Date: May 15, 2013


Subject: Expenditure of Forfeiture Funds for the Purchase of Special Equipment

Background: On certain emergencies such as an active shooter event, the Police Department needs to have in place special equipment in order to respond effectively and safely. The special equipment required is breaching tools and less than lethal chemical agents. The specific breaching tools are a thundersledge, a hallagan tool, a tactical entry ram, and a padlockbuster. The chemical agents are a case of OC canister grenades. All officers will be trained with the equipment. Use of the equipment must be approved by a supervisor. The equipment will be safely secured in the garage.

Budget Impact: The cost for the police special equipment is \$2000 from the Forfeiture Fund. As of April 2013, there is an unexpended balance \$136,849 from FY 12/13 in this account. An additional \$13,100.77 was added to the account in April 2013 from closed 2011 investigations. The Surfside Police Department participates in a multi-agency money laundering narcotics task force that in 2013 has seized 18.7 kilos of cocaine, 1 kilo of heroin, 37 pounds of marijuana, 39 marijuana plants, 2 firearms, 4.9 million in currency, and made 15 arrests.

Staff Impact: N/A

Recommendation: Staff recommends that the Town Commission approved a resolution authorizing an expenditure of \$2000 from the Forfeiture Fund for police special equipment.

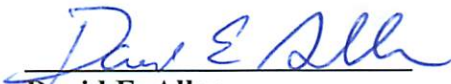

David Allen, Chief of Police


Michael Crotty, Town Manager

CERTIFICATE OF CHIEF OF POLICE

I, **DAVID E. ALLEN, Chief of Police of the Town of Surfside**, do hereby certify the expenditures for \$2,000.00 from the forfeiture fund to purchase breeching tools and less than lethal chemical agents for the Police Department from the Town of Surfside Confiscation Fund, for the 2012/2013 Fiscal Year budget complies with provisions Section 881(e)(3) of Title 21, United States Code and Florida Statute Section 932.7055.

Dated: 5/8/2013


David E. Allen
Chief of Police



Town of Surfside Commission Communication

Agenda Item # 3J

Agenda Date: May 15, 2013

Subject: Mutual Aid Agreement between the North Bay Village Police Department and the Town of Surfside Police Department

Objective: To extend mutual aid in the form of law enforcement services and resources between the North Bay Village and Surfside Police Departments for requesting operational assistance in law enforcement intensive situations and emergencies and for assistance of a routine law enforcement nature that crosses jurisdictional lines

Background: The Town of Surfside Police has mutual aid agreements with many Miami-Dade County law enforcement agencies. The Town of Surfside and North Bay Village are so located in relation to each other that it is an advantage of each to receive and extend mutual aid in the form of law enforcement services and resources. The Mutual Aid Agreement (attachment A) between the Town of Surfside Police Department and North Bay Village Police Department would be in effect from May 15, 2013 to May 14, 2018.

Budget Impact: N/A

Staff Impact: N/A

Recommendation: It is recommended that the Surfside Town Commission approve the resolution authorizing the Mutual Aid Agreement between the Town of Surfside Police Department and the North Bay Village Police Department.


David Allen, Chief of Police


Michael Crotty, Town Manager

MUTUAL AID AGREEMENT

BETWEEN THE NORTH BAY VILLAGE POLICE DEPARTMENT AND THE TOWN OF SURFSIDE POLICE DEPARTMENT

WITNESSETH

WHEREAS, it is the responsibility of the governments of North Bay Village, Florida, and the Town of Surfside, Florida (collectively, the "Parties") to ensure the public safety of their citizens by providing adequate levels of police service to assess any foreseeable routine or emergency situation; and

WHEREAS, there is an existing and continuing possibility of the occurrence of law enforcement problems and other natural man-made conditions which are, or likely to be, beyond the control of the services, personnel, equipment, or facilities of the North Bay Village Police Department and the Town of Surfside Police Department (collectively, the "Agencies"); and

WHEREAS, the Parties are so located in relation to each other that it is to the advantage of each to receive and extend mutual aid in the form of law enforcement services and resources to adequately respond to:

- (1) Intensive situations including, but not limited to emergencies as defined under Section 252.34(3), Florida Statutes; and
- (2) Continuing, multi-jurisdictional law enforcement problems, so as to protect the public peace and safety, and preserve the lives and property of the people; and

WHEREAS, the Parties have authority under Part I of Chapter 23, Florida Statutes, the Florida Mutual Aid Act, to enter into:

- (1) A requested operational assistance agreement for the requesting and rendering of assistance in law enforcement intensive situations and emergencies; and
- (2) A voluntary cooperation agreement for assistance of a routine law enforcement nature that crosses jurisdictional lines.

NOW, THEREFORE, BE IT KNOWN that North Bay Village, a political subdivision of the State of Florida and the Town of Surfside, a political subdivision of the State of Florida, in consideration for mutual promises to render valuable aid in times of necessity, do hereby agree to fully and faithfully abide by and be bound by the following terms and conditions:

SECTION I: DESCRIPTION

This Agreement provides for the requesting and rendering of assistance for both routine and law enforcement intensive situations and combines elements of both a voluntary cooperation agreement and a requested operational assistance agreement, as described in Chapter 23, Florida Statutes.

SECTION II: PROVISIONS FOR VOLUNTARY COOPERATION

The Chief of Police for North Bay Village and the Chief of Police for the Town of Surfside (collectively "Agency Heads") may execute a joint declaration, enumerating the specific conditions under which aid may be requested or rendered pursuant to this Agreement (the "Joint Declaration"). Subsequent to execution, a Joint Declaration shall be filed with the clerks of the respective political subdivisions and shall thereafter become part of this Agreement. The Joint Declaration may be amended at any time upon the mutual assent of the Agency Heads.

SECTION III: POLICY AND PROCEDURE

- (a) In the event that a party to this Agreement is in need of assistance as set forth above, an authorized representative of the Agency requiring assistance shall notify the Agency, Agency Head, or his/her designee from whom such assistance is required. The Agency Head or authorized agency representative whose assistance is sought shall evaluate the situation and the Agency's available resources, consult with his/her supervisors if necessary and will respond in a manner he/she deems appropriate. The Agency Head's decision in this regard shall be final.
- (b) The resources or facilities that are assigned by the assisting Agency shall be under the immediate command of a supervising officer designated by the assisting Agency Head. Such supervising officer shall be under the direct supervision and command of the Agency Head or his designee of the Agency requesting assistance.
- (c) Should a violation of Florida Statutes occur in the presence of said officers representing their respective Agencies in the furtherance of this Agreement, they shall be empowered to render enforcement assistance and act in accordance with law.

SECTION IV: POWERS, PRIVILEGES, IMMUNITIES AND COSTS

- (a) Members of the Agencies when actually engaging in mutual cooperation and assistance outside of the jurisdictional limits of North Bay Village or Surfside under the terms of this Agreement, shall, pursuant to the provisions of Section 23.127, Florida Statutes, have the same powers, duties, rights, privileges, and immunities as if they were performing their duties in the political subdivision in which they are normally employed.
- (b) Each Party agrees to furnish the necessary equipment, resources, and facilities and to render services to each other Party to the Agreement as set forth above; provided however, that no Party shall be required to deplete unreasonably its own equipment, resources, facilities, and services in furnishing such mutual aid.

- (c) The Agency furnishing any equipment pursuant to this Agreement shall bear the loss or damages to such equipment and shall pay any expense incurred in the operation and maintenance thereof.
- (d) The Agency furnishing aid pursuant to this section shall compensate its appointees/employees during the time such aid is rendered and shall defray the actual travel maintenance expenses of such employees while they are rendering such aid, including any amounts paid or due for compensation due to personal injury or death while such employees are engaged in rendering such aid. However, if the requesting Agency receives compensation from the Federal Emergency Management Agency (FEMA), the requesting Agency may compensate the assisting Agency during the time of the rendering of such aid and may defray the actual travel and maintenance expenses of such employees while they are rendering such aid, including any amounts paid or due for compensation as a result of personal injury or death while such employees are rendering such aid as pertains to this Agreement.
- (e) All of the privileges and immunities from liability, exemption from laws, ordinances and rules, and all pension, insurance, relief, disability, worker's compensation, salary, death and other benefits which apply to the activity of such officers, agents or employee of any such agency when performing their respective functions within the territorial limits of their respective public agencies shall apply to them to the same degree, manner, and extent while engaged in the performance of any of their functions and duties extraterritorially under the provisions of this Agreement. The provisions of this section shall apply with equal effect to paid, volunteer, and reserve employees.
- (f) Nothing herein shall prevent the requesting Agency from requesting supplemental appropriations from the governing authority having budgeting jurisdiction to reimburse the assisting Agency for any actual costs or expenses incurred by the assisting agency performing hereunder when assistance is requested under this Agreement.

SECTION V: FORFEITURE

It is recognized that during the course of the operation of the Agreement, property subject to forfeiture under the Florida Contraband Forfeiture Act, Florida Statutes, may be seized. Seized property shall be forfeited and equitably distributed among the participating agencies in proportion to the amount of investigation and participation performed by each agency. This shall occur pursuant to the provisions of the Florida Contraband Forfeiture Act.

SECTION VI: INDEMNIFICATION

Each Party engaging in any mutual cooperation and assistance, pursuant to this Agreement, agrees with respect to any suit or claim for damages resulting from any and all acts, omissions, or conduct of such party's own employees occurring while engaging in rendering such aid pursuant to this agreement, to hold harmless, defend and indemnify the other participating party and its appointees or employees, subject to provisions of Section 768.28, Florida Statutes, where applicable, and provided such party shall have control of the defense of any suit or claim to which said duty to indemnify applies.


SECTION VII: EFFECTIVE DATE

This agreement shall take effect upon execution and approval by the hereinafter-named officials and shall continue in full force and effect until the expiration of a period of five (5) years from the date hereof, unless terminated prior thereto by any or all of the Parties herein.

SECTION VII: CANCELLATION


This agreement may be cancelled by any Party upon delivery of written notice to the other Party or Parties. Cancellation will be at the direction of any subscribing Party.

IN WITNESS WHEREOF, the Parties hereto cause these presents to be signed on the date specified.



Jenice Rosado
Interim Village Manager
North Bay Village

Date: 4/15/13



Robert J. Daniels
Chief of Police
North Bay Village, Florida

Date: 4/15/2013

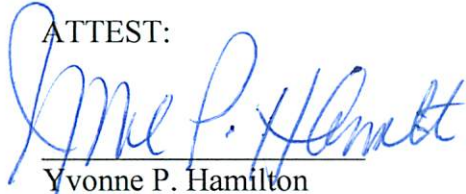
Roger M. Carlton
Town Manager
Town of Surfside

Date: _____

David Allen
Chief of Police
Surfside, Florida

Date: _____

ATTEST:



Yvonne P. Hamilton
Village Clerk
North Bay Village, Florida

ATTEST:

Sandra Novoa
Town Clerk
Town of Surfside, Florida

JOINT DECLARATION BETWEEN NORTH BAY VILLAGE AND THE TOWN OF SURFSIDE PURSUANT TO A MUTUAL AID AGREEMENT

A police officer of either of the participating law enforcement agencies shall be considered to be operating under the provisions of the mutual aid agreement when:

- Participating in law enforcement activities that are preplanned and approved by each respective agency head; or
- Appropriately dispatched in response to a request for assistance from the other law enforcement agency.

In compliance with and under the authority of the Mutual Aid Agreement heretofore entered into by North Bay Village, Florida and the Town of Surfside, Florida, it is hereby declared that the following list comprises the circumstances and conditions under which mutual aid may be requested and rendered regarding police operations pursuant to the agreement. Said list may be amended or supplemented from time to time as needs dictate by subsequent declarations.


1. Joint multi-jurisdictional criminal investigations.
2. Civil affray or disobedience, disturbances, riots, large protest demonstrations, controversial trials, political conventions, labor disputes, and strikes.
3. Any natural disaster.
4. Incidents which require rescue operations and crowd and traffic control measures including, but not limited to, large-scale evacuations, aircraft and shipping disasters, fires, explosions, gas line leaks, radiological incidents, train wrecks and derailments, chemical or hazardous waste spills, and electrical power failures.
5. Terrorist activities including, but not limited to, acts of sabotage.
6. Escapes from or disturbances within detention facilities.
7. Hostage and barricaded subject situations, and aircraft piracy.
8. Control of major crime scenes, area searches, perimeter control, back-ups to emergency and in-progress calls, pursuits, and missing person calls.
9. Enemy attack.
10. Transportation of evidence requiring security.

11. Major events, e.g., sporting events, concerts, parades, fairs, festivals and conventions.
12. Security and escort duties for dignitaries.
13. Emergency situations in which one agency cannot perform its functional objective.
14. Incidents requiring utilization of specialized units, e.g., underwater recovery, aircraft, canine, motorcycle, bomb, crime scene, marine patrol, and police information.
15. Joint training in areas of mutual need.
16. Joint multi-jurisdictional marine interdiction operations.

The following procedures will apply in mutual aid operations:

1. Mutual aid requested or rendered will be approved by the Chief of Police or designee.
2. Specific reporting instructions for personnel rendering mutual aid should be included in the request for mutual aid. In the absence of such instructions, personnel will report to the ranking on-duty supervisor on the scene.
3. Communications instructions will be included in each request for mutual aid.
4. Incidents requiring mass processing of arrestees, transporting prisoners, and operating temporary detention facilities will be handled per established procedures.

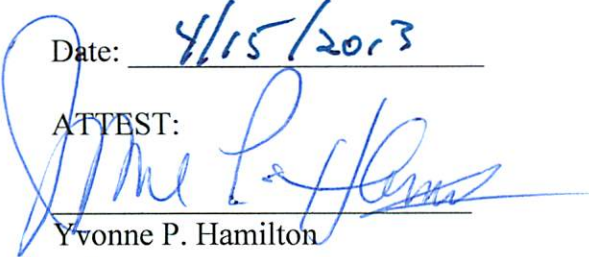
AGREED TO AND ACKNOWLEDGED this _____ day of _____, 2013.



Robert J. Daniels
Chief of Police
North Bay Village, Florida

Date: 4/15/2013

ATTEST:



Yvonne P. Hamilton
Village Clerk

David Allen
Chief of Police
Surfside, Florida

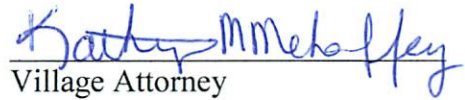
Date: _____

ATTEST:

Sandra Novoa
Town Clerk

North Bay Village, Florida

Approved as to form
And legal sufficiency:



Village Attorney
North Bay Village, Florida

Date: 4/15/13

Surfside, Florida

Approved as to form
and legal sufficiency:

City Attorney
Town of Surfside, Florida

Date: _____

RESOLUTION NO. 13 - ____

A RESOLUTION OF THE TOWN COMMISSION FOR THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING AND DIRECTING THE TOWN MANAGER AND TOWN CLERK TO EXECUTE A MUTUAL AID AGREEMENT FOR OPERATIONAL ASSISTANCE IN LAW ENFORCEMENT AND EMERGENCIES WITH THE CITY OF NORTH BAY VILLAGE POLICE DEPARTMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission of the Town of Surfside, Florida would like to enter into a Mutual Aid Agreement for Operational Assistance in Law Enforcement and Emergencies between the Town of Surfside Police Department and the City of North Bay Village Police Department;

WHEREAS, the Town Commission believes that it is in the best interest of the Town to enter into the agreement attached as Exhibit “A”; and

WHEREAS, the Commission Communication from the Chief of Police of the Town of Surfside has recommended that the Surfside Town Commission approve the resolution authorizing the Mutual Aid Agreement between the Town of Surfside Police Department and the North Bay Village Police Department (Exhibit “B”).

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above and foregoing recitals are true and correct and are incorporated herein by reference.

Section 2. Authorization. The Town Commission hereby authorizes the execution of the Mutual Aid Agreement for Operation Assistance in Law Enforcement and Emergencies between the Town of Surfside Police Department and the City of North Bay Village Police

Department attached hereto as Exhibit "A" and authorizes the Town Manager and Town Police Chief to do all things necessary to effectuate this Agreement.

Section 3. **Effective Date.** This Resolution shall become effective immediately upon its adoption.

PASSED and **ADOPTED** on this _____ day of May, 2013.

Motion by Commissioner _____, second by Commissioner _____.

FINAL VOTE ON ADOPTION

Commissioner Joseph Graubart	_____
Commissioner Michelle Kligman	_____
Commissioner Marta Olchyk	_____
Vice Mayor Michael Karukin	_____
Mayor Daniel Dietch	_____

Daniel Dietch, Mayor

Attest:

Sandra Novoa
Town Clerk

**APPROVED AND TO FORM AND
LEGAL SUFFICIENCY FOR THE
TOWN OF SURFSIDE ONLY:**



Linda Miller, Interim Town Attorney



North Bay Village

Administrative Offices

1700 Kennedy Causeway, Suite 132 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

April 22, 2013

Mrs. Sandra Novoa, Town Clerk
Town of Surfside
9293 Harding Avenue
Surfside, FL 33154

Re: Mutual Aid Agreement

Dear Sandra:

Enclosed are two copies of the police Mutual Aid Agreements with the Village of Surfside. Please return one fully executed copy to my attention.

If you have any questions regarding this matter, please do not hesitate to call me at (305) 756-7171.

Sincerely,

NORTH BAY VILLAGE

Yvonne P. Hamilton
Yvonne P. Hamilton
Village Clerk

/yph

Enclosure: Mutual Aid Agreements

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

MUTUAL AID AGREEMENT

BETWEEN THE NORTH BAY VILLAGE POLICE DEPARTMENT AND THE TOWN OF SURFSIDE POLICE DEPARTMENT

WITNESSETH

WHEREAS, it is the responsibility of the governments of North Bay Village, Florida, and the Town of Surfside, Florida (collectively, the "Parties") to ensure the public safety of their citizens by providing adequate levels of police service to assess any foreseeable routine or emergency situation; and

WHEREAS, there is an existing and continuing possibility of the occurrence of law enforcement problems and other natural man-made conditions which are, or likely to be, beyond the control of the services, personnel, equipment, or facilities of the North Bay Village Police Department and the Town of Surfside Police Department (collectively, the "Agencies"); and

WHEREAS, the Parties are so located in relation to each other that it is to the advantage of each to receive and extend mutual aid in the form of law enforcement services and resources to adequately respond to:

- (1) Intensive situations including, but not limited to emergencies as defined under Section 252.34(3), Florida Statutes; and
- (2) Continuing, multi-jurisdictional law enforcement problems, so as to protect the public peace and safety, and preserve the lives and property of the people; and

WHEREAS, the Parties have authority under Part I of Chapter 23, Florida Statutes, the Florida Mutual Aid Act, to enter into:

- (1) A requested operational assistance agreement for the requesting and rendering of assistance in law enforcement intensive situations and emergencies; and
- (2) A voluntary cooperation agreement for assistance of a routine law enforcement nature that crosses jurisdictional lines.

NOW, THEREFORE, BE IT KNOWN that North Bay Village, a political subdivision of the State of Florida and the Town of Surfside, a political subdivision of the State of Florida, in consideration for mutual promises to render valuable aid in times of necessity, do hereby agree to fully and faithfully abide by and be bound by the following terms and conditions:

SECTION I: DESCRIPTION

This Agreement provides for the requesting and rendering of assistance for both routine and law enforcement intensive situations and combines elements of both a voluntary cooperation agreement and a requested operational assistance agreement, as described in Chapter 23, Florida Statutes.

SECTION II: PROVISIONS FOR VOLUNTARY COOPERATION

The Chief of Police for North Bay Village and the Chief of Police for the Town of Surfside (collectively "Agency Heads") may execute a joint declaration, enumerating the specific conditions under which aid may be requested or rendered pursuant to this Agreement (the "Joint Declaration"). Subsequent to execution, a Joint Declaration shall be filed with the clerks of the respective political subdivisions and shall thereafter become part of this Agreement. The Joint Declaration may be amended at any time upon the mutual assent of the Agency Heads.

SECTION III: POLICY AND PROCEDURE

- (a) In the event that a party to this Agreement is in need of assistance as set forth above, an authorized representative of the Agency requiring assistance shall notify the Agency, Agency Head, or his/her designee from whom such assistance is required. The Agency Head or authorized agency representative whose assistance is sought shall evaluate the situation and the Agency's available resources, consult with his/her supervisors if necessary and will respond in a manner he/she deems appropriate. The Agency Head's decision in this regard shall be final.
- (b) The resources or facilities that are assigned by the assisting Agency shall be under the immediate command of a supervising officer designated by the assisting Agency Head. Such supervising officer shall be under the direct supervision and command of the Agency Head or his designee of the Agency requesting assistance.
- (c) Should a violation of Florida Statutes occur in the presence of said officers representing their respective Agencies in the furtherance of this Agreement, they shall be empowered to render enforcement assistance and act in accordance with law.

SECTION IV: POWERS, PRIVILEGES, IMMUNITIES AND COSTS

- (a) Members of the Agencies when actually engaging in mutual cooperation and assistance outside of the jurisdictional limits of North Bay Village or Surfside under the terms of this Agreement, shall, pursuant to the provisions of Section 23.127, Florida Statutes, have the same powers, duties, rights, privileges, and immunities as if they were performing their duties in the political subdivision in which they are normally employed.
- (b) Each Party agrees to furnish the necessary equipment, resources, and facilities and to render services to each other Party to the Agreement as set forth above; provided however, that no Party shall be required to deplete unreasonably its own equipment, resources, facilities, and services in furnishing such mutual aid.

- (c) The Agency furnishing any equipment pursuant to this Agreement shall bear the loss or damages to such equipment and shall pay any expense incurred in the operation and maintenance thereof.
- (d) The Agency furnishing aid pursuant to this section shall compensate its appointees/employees during the time such aid is rendered and shall defray the actual travel maintenance expenses of such employees while they are rendering such aid, including any amounts paid or due for compensation due to personal injury or death while such employees are engaged in rendering such aid. However, if the requesting Agency receives compensation from the Federal Emergency Management Agency (FEMA), the requesting Agency may compensate the assisting Agency during the time of the rendering of such aid and may defray the actual travel and maintenance expenses of such employees while they are rendering such aid, including any amounts paid or due for compensation as a result of personal injury or death while such employees are rendering such aid as pertains to this Agreement.
- (e) All of the privileges and immunities from liability, exemption from laws, ordinances and rules, and all pension, insurance, relief, disability, worker's compensation, salary, death and other benefits which apply to the activity of such officers, agents or employee of any such agency when performing their respective functions within the territorial limits of their respective public agencies shall apply to them to the same degree, manner, and extent while engaged in the performance of any of their functions and duties extraterritorially under the provisions of this Agreement. The provisions of this section shall apply with equal effect to paid, volunteer, and reserve employees.
- (f) Nothing herein shall prevent the requesting Agency from requesting supplemental appropriations from the governing authority having budgeting jurisdiction to reimburse the assisting Agency for any actual costs or expenses incurred by the assisting agency performing hereunder when assistance is requested under this Agreement.

SECTION V: FORFEITURE

It is recognized that during the course of the operation of the Agreement, property subject to forfeiture under the Florida Contraband Forfeiture Act, Florida Statutes, may be seized. Seized property shall be forfeited and equitably distributed among the participating agencies in proportion to the amount of investigation and participation performed by each agency. This shall occur pursuant to the provisions of the Florida Contraband Forfeiture Act.

SECTION VI: INDEMNIFICATION

Each Party engaging in any mutual cooperation and assistance, pursuant to this Agreement, agrees with respect to any suit or claim for damages resulting from any and all acts, omissions, or conduct of such party's own employees occurring while engaging in rendering such aid pursuant to this agreement, to hold harmless, defend and indemnify the other participating party and its appointees or employees, subject to provisions of Section 768.28, Florida Statutes, where applicable, and provided such party shall have control of the defense of any suit or claim to which said duty to indemnify applies.


SECTION VII: EFFECTIVE DATE

This agreement shall take effect upon execution and approval by the hereinafter-named officials and shall continue in full force and effect until the expiration of a period of five (5) years from the date hereof, unless terminated prior thereto by any or all of the Parties herein.

SECTION VII: CANCELLATION

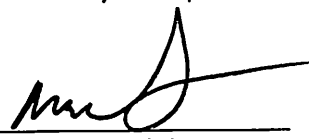
This agreement may be cancelled by any Party upon delivery of written notice to the other Party or Parties. Cancellation will be at the direction of any subscribing Party.

IN WITNESS WHEREOF, the Parties hereto cause these presents to be signed on the date specified.



Jenice Rosado
Interim Village Manager
North Bay Village

Date: 4/15/13



Robert J. Daniels
Chief of Police
North Bay Village, Florida

Date: 4/15/2013

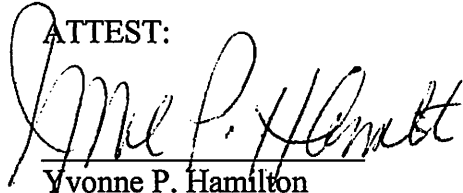
Roger M. Carlton
Town Manager
Town of Surfside

Date: _____

David Allen
Chief of Police
Surfside, Florida

Date: _____

ATTEST:



Yvonne P. Hamilton
Village Clerk
North Bay Village, Florida

ATTEST:

Sandra Novoa
Town Clerk
Town of Surfside, Florida

**JOINT DECLARATION BETWEEN
NORTH BAY VILLAGE AND THE TOWN OF SURFSIDE PURSUANT TO A MUTUAL
AID AGREEMENT**

A police officer of either of the participating law enforcement agencies shall be considered to be operating under the provisions of the mutual aid agreement when:

- Participating in law enforcement activities that are preplanned and approved by each respective agency head; or
- Appropriately dispatched in response to a request for assistance from the other law enforcement agency.

In compliance with and under the authority of the Mutual Aid Agreement heretofore entered into by North Bay Village, Florida and the Town of Surfside, Florida, it is hereby declared that the following list comprises the circumstances and conditions under which mutual aid may be requested and rendered regarding police operations pursuant to the agreement. Said list may be amended or supplemented from time to time as needs dictate by subsequent declarations.

1. Joint multi-jurisdictional criminal investigations.
2. Civil affray or disobedience, disturbances, riots, large protest demonstrations, controversial trials, political conventions, labor disputes, and strikes.
3. Any natural disaster.
4. Incidents which require rescue operations and crowd and traffic control measures including, but not limited to, large-scale evacuations, aircraft and shipping disasters, fires, explosions, gas line leaks, radiological incidents, train wrecks and derailments, chemical or hazardous waste spills, and electrical power failures.
5. Terrorist activities including, but not limited to, acts of sabotage.
6. Escapes from or disturbances within detention facilities.
7. Hostage and barricaded subject situations, and aircraft piracy.
8. Control of major crime scenes, area searches, perimeter control, back-ups to emergency and in-progress calls, pursuits, and missing person calls.
9. Enemy attack.
10. Transportation of evidence requiring security.

11. Major events, e.g., sporting events, concerts, parades, fairs, festivals and conventions.
12. Security and escort duties for dignitaries.
13. Emergency situations in which one agency cannot perform its functional objective.
14. Incidents requiring utilization of specialized units, e.g., underwater recovery, aircraft, canine, motorcycle, bomb, crime scene, marine patrol, and police information.
15. Joint training in areas of mutual need.
16. Joint multi-jurisdictional marine interdiction operations.

The following procedures will apply in mutual aid operations:

1. Mutual aid requested or rendered will be approved by the Chief of Police or designee.
2. Specific reporting instructions for personnel rendering mutual aid should be included in the request for mutual aid. In the absence of such instructions, personnel will report to the ranking on-duty supervisor on the scene.
3. Communications instructions will be included in each request for mutual aid.
4. Incidents requiring mass processing of arrestees, transporting prisoners, and operating temporary detention facilities will be handled per established procedures.

AGREED TO AND ACKNOWLEDGED this _____ day of _____, 2013.



Robert J. Daniels
Chief of Police
North Bay Village, Florida

David Allen
Chief of Police
Surfside, Florida

Date: 4/15/2013

Date: _____

ATTEST:

ATTEST:



Yvonne P. Hamilton
Village Clerk

Sandra Novoa
Town Clerk

North Bay Village, Florida

Approved as to form
And legal sufficiency:


Village Attorney
North Bay Village, Florida

Date: 4/15/13

Surfside, Florida

Approved as to form
and legal sufficiency:

City Attorney
Town of Surfside, Florida

Date: _____



Town of Surfside Commission Communication

Agenda Item #

Agenda Date: May 15, 2013

Subject: Mutual Aid Agreement between the North Bay Village Police Department and the Town of Surfside Police Department

Objective: To extend mutual aid in the form of law enforcement services and resources between the North Bay Village and Surfside Police Departments for requesting operational assistance in law enforcement intensive situations and emergencies and for assistance of a routine law enforcement nature that crosses jurisdictional lines

Background: The Town of Surfside Police has mutual aid agreements with many Miami-Dade County law enforcement agencies. The Town of Surfside and North Bay Village are so located in relation to each other that it is an advantage of each to receive and extend mutual aid in the form of law enforcement services and resources. The Mutual Aid Agreement (attachment A) between the Town of Surfside Police Department and North Bay Village Police Department would be in effect from May 15, 2013 to May 14, 2018.

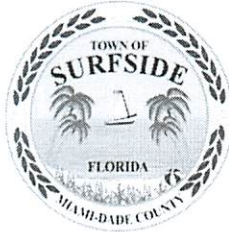
Budget Impact: N/A

Staff Impact: N/A

Recommendation: It is recommended that the Surfside Town Commission approve the resolution authorizing the Mutual Aid Agreement between the Town of Surfside Police Department and the North Bay Village Police Department.

David Allen, Chief of Police

Michael Crotty, Town Manager



Town of Surfside Commission Communication

Agenda Item # 3K

Agenda Date: May 15, 2013

Subject: Pool Tot Lot Repairs

Background: Funtraptions, the original contractor for the Community Center water playground, is no longer in business and not available for any warranty work or repairs. At the completion of the project, a 10% fee was retained by the Town until full satisfaction was met with the water play structure. The retainer (\$22,600) will be utilized to cover the cost of repairs of warranty items that need to be addressed. This item has been on the points of light for over 8 months detailing the issues with the water playground and securing a qualified vendor for repairs. Staff has now been able to secure a qualified vendor and has received a written proposal to start the repair work. Naumann Nature Scapes, Inc/Water Works will be the vendor. The work will be completed in a priority level with safety items the first on the list for repairs. (See Attachment)

Analysis: The Water Tot Lot continues to remain open and is operational, yet has items that are in need of repair work before they become safety issues. There are items that if left in their current state will become issues that may result in operations failure and lead to the closing of the Tot Lot for major repairs. The current proposal will address the known items in need of repairs and will be done on a priority level. The proposal will not exceed the retainer amount of \$22,600. If other items are discovered needing repairs during the contract work and exceed \$8,500 Staff will submit for approval a new resolution to the Town Commission before moving forward.

Budget Impact: The retainer funds will be used not to exceed \$22,600 for the attached repairs. If additional items are found to be in need of repairs, funds will be used from the Parks and Recreation Departments operating budget not to exceed \$8,500.

Recommendation: It is recommended that the Town Commission approve the Resolution authorizing repairs to the pool tot lot in accordance with the May 7, 2013 proposal of Naumann Nature Scapes, Inc. in the amount not to exceed \$22,600.



Department Head



Town Manager

RESOLUTION NO. 13 – _____

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA (“TOWN”) APPROVING THE AGREEMENT WITH NAUMANN NATURE SCAPES, INC.; ACCEPTING AND APPROVING PARTIAL EXPENDITURE OF REPAIRS FOR THE COMMUNITY CENTER WATER PLAYGROUND FROM THE GENERAL FUND, PARKS & RECREATION DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town and its residents desire the use of the Surfside Community Center Pool Tot Lot for the upcoming Summer break; and

WHEREAS, Funtraptions, the original contractor for the Community Center water playground, is no longer in business and not available for any warranty work or repairs; and

WHEREAS, Parks and Recreation Department Director has submitted a Commission Communication providing retainer information and expressing his recommendation for this Resolution to be approved (Attachment “A”); and

WHEREAS, the retainer cost (Attachment “B”) will be utilized to cover the cost of repairs of warranty items that need to be addressed; and

WHEREAS, this item has been on the Points of Light for over eight (8) months detailing the issues with the Pool Tot Lot; and

WHEREAS, the work will be completed at a priority level with safety items as the first on the list of repairs; and

WHEREAS, the retainer funds will be used not to exceed \$22,600 for the attached repairs; and

WHEREAS, it is in the best interest of the Town to approve the Agreement with Naumann Nature Scapes, Inc. for repair and maintenance of the Surfside Community Center water feature.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. That each of the above stated recitals are hereby adopted, confirmed, and incorporated herein.

Section 2. Authorization and Approval. The Town Commission authorizes the Town Manager and Parks and Recreation Department Director to do what is necessary to work with Naumann Nature Scapes, Inc. to complete all necessary repairs. The approval and authorization to pay a retainer cost not to exceed \$22,600.

Section 3. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this ____ day of _____ 2013.

Motion by Commissioner _____, second by Commissioner _____.

FINAL VOTE ON ADOPTION

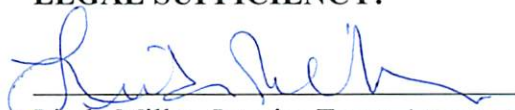
Commissioner Joseph Graubart	_____
Commissioner Michelle Kligman	_____
Commissioner Marta Olchyk	_____
Vice Mayor Michael Karukin	_____
Mayor Daniel Dietch	_____

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, CMC
Town Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**



Linda Miller, Interim Town Attorney



Town of Surfside Commission Communication

Agenda Item #

Agenda Date:

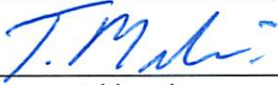
Subject: Pool Tot Lot Repairs

Background: Funtraptions, the original contractor for the Community Center water playground, is no longer in business and not available for any warranty work or repairs. At the completion of the project, a 10% fee was retained by the Town until full satisfaction was met with the water play structure. The retainer (\$22,600) will be utilized to cover the cost of repairs of warranty items that need to be addressed. This item has been on the points of light for over 8 months detailing the issues with the water playground and securing a qualified vendor for repairs. Staff has now been able to secure a qualified vendor and has received a written proposal to start the repair work. Naumann Nature Scapes, Inc/Water Works will be the vendor. The work will be completed in a priority level with safety items the first on the list for repairs. (See Attachment)

Analysis: The Water Tot Lot continues to remain open and is operational, yet has items that are in need of repair work before they become safety issues. There are items that if left in their current state will become issues that may result in operations failure and lead to the closing of the Tot Lot for major repairs. The current proposal will address the known items in need of repairs and will be done on a priority level. The proposal will not exceed the retainer amount of \$22,600. If other items are discovered needing repairs during the contract work and exceed \$8,500 Staff will submit for approval a new resolution to the Town Commission before moving forward.

Budget Impact: The retainer funds will be used not to exceed \$22,600 for the attached repairs. If additional items are found to be in need of repairs, funds will be used from the Parks and Recreation Departments operating budget not to exceed \$8,500.

Recommendation: It is recommended that the Town Commission approve the Resolution authorizing repairs to the pool tot lot in accordance with the May 7, 2013 proposal of Naumann Nature Scapes, Inc. in the amount not to exceed \$22,600.



Department Head



Town Manager



Town of Surfside Commission Communication

Date: May 15, 2013

Subject: Memorandum of Understanding with Town Of Surfside Community Dog Park Incorporated

Background: The Town Dog Park located at 93rd Street and Byron Avenue will soon be an actuality (Attachment A).

The construction of a Dog Park was approved by the Town Commission as part of the FY 12/13 Budget after a Summer Study (Attachment B) was presented and monthly updates on the process and progress were provided via the Points of Light report. Ms. Ann Finley, Surfside resident, has continued to coordinate the grass roots effort to galvanize those residents interested in having a Dog Park and has met all of the obligations requested.

The following is the (completed) approved process that was required to move this initiative forward to this juncture:

- Outreach to neighbors: residents abutting the proposed park, utilizing distances similar to those for Planning & Zoning applications, were notified by certified mail of a Community Meeting to discuss the proposed park and were given time to respond to the letter if unable to attend the meeting.
- A Community Meeting was held for resident input on the proposed park. The attendees were in support of the park with only the neighbor to the west of the property expressing concern over her fence (presently being addressed by the water/sewer project). The Town did not receive any communication based on the mailing to the neighbors.
- Ms. Finley, and the other interested residents, incorporated as a non-profit organization (501 © 3) by September 30, 2012 and presented to Town Administration proof of incorporation (Attachment C) and the signed resident signature petition in support of the park.
- An agreement between the Town and the non-profit (represented by this Memorandum Of Understanding).

Analysis: Once the pump station at the western end of the site is rebuilt and operational, a comprehensive re-landscaping of the entire lot will occur. Therefore the park opening is dependent upon the completion of the pump station project followed by the implementation of the park (Summer 2013).

An attractive five foot black aluminum fence will secure the perimeter of the park on the eastern and southern ends with a higher wooden shadow-box fence on the western and northern ends to ensure privacy for the abutting neighbors. A sign, similar to the one at the Community Garden, would identify the rules and regulations at the park (Attachment D). While Lukes-Sawgrass Landscaping, the Town's approved landscaping service, is donating two trees for the site, any additional landscaping will not be implemented at this time due to the park's budget. Similarly, the non-profit is committing to

providing benches as these items are also not covered by the budget. The Town is presently investigating other options to secure a people/dog water fountain typically installed at dog parks. This item alone is \$3,865 (best price available). Including this item would bring the cost of the park to \$19,948.18. The park will have an irrigation system that will also supply water for the dogs via a spigot until a fountain can be secured.

The park, named Paws Up Park by the non-profit, will be opened at 8:00am and closed daily at dusk in the same manner that the Town's other parks are opened and closed. A lockable sally port gate will permit access and irrigation will be added to accommodate maintaining the park and to provide water for the dogs. On-going maintenance will be conducted by Luke's Landscaping. The dog receptacles are presently being emptied by Parks and Recreation staff – this would remain in place with the new park. The Police Department would add the location to their Community Policing procedures.

Due to the park being open to all Surfside residents, regardless of any association with the non-profit, the Town's insurance (Florida Municipal Insurance Trust) will cover the park under the Town's General Liability policy currently in place. This determination was made at a meeting between Town Administration, the Town Attorney and Florida League of Cities representatives.

Town of Surfside Community Dog Park Incorporated will provide the following as part of the Memorandum of Understanding with the Town:

1. Act as stewards of Surfside Paws Up Park.
2. Designate a personnel member as the program liaison.
3. Maintain annual non-profit status.
4. Report violations of Town policies to appropriate Town personnel.
5. Monitor and report on condition of the park no less than bi-weekly.
6. Notify Town in advance of any planned fundraising activities with all approvals obtained prior to advertising for any planned activity or purchase of park amenities.

Budget Impact: \$10,000 was originally earmarked in the Fiscal Year 12/13 Budget proposal to construct a basic dog park. Upon moving forward with the project, a revised estimate of \$18,000 was brought before Town Commission on April 9, 2013. The additional funding of \$8,000, garnered savings resulting from the Bus Shelter acquisition, were approved to be used for the Dog Park at the April 9, 2013 meeting in a vote of 3:1. The accompanying Resolution, authorizing Lukes-Sawgrass Landscaping to proceed with the implementation of the dog park, corresponds to a proposal in the amount of \$16,083.18

Staff Impact: Existing Staff will open/close the park, maintain (in cooperation with the Town's landscaping firm) and monitor the park as well as liaise with the non-profit on all matters related to the park.

Recommendation: Staff recommends the Town Commission enter into a Memorandum of Understanding with Town of Surfside Community Dog Park Incorporated and authorize Lukes-Sawgrass Landscaping to proceed with constructing the park.



TEDACS Director



Town Manager



**Town of Surfside
Commission Communication**

Agenda # 4C

Date: August 23, 2012

Subject: Community Dog Park Summer Study

Background: Based on community interest, and spearheaded by support from Mayor Dietch, the Town is investigating the implementation of a Surfside, resident only accessed, Dog Park. Other neighboring sites at Haulover Park and in Miami Beach are perceived to be inherently disadvantaged by their location and concern for safety. They also do not foster the same ability to forge a sense of community that a local site would bring to all of those that would utilize this Town amenity. The Town Commission only needs to review the success of the Community Garden initiative as a comparison.

The site identified for this possible park is the existing pump station site on the corner of Byron Avenue and 93rd Street. This initiative is being addressed in the Fiscal Year 12/13 Budget with a proposed \$10,000 allocation - \$2000 was directed by the Town Commission to the Community Garden at the Budget Special Hearing July 10, 2012. Staff is also investigating grant opportunities through the PetSmart Foundation to assist in funding and enhancing this initiative in the long term. The proposed area is already zoned as Municipal and would not require a zoning change.

Ms. Ann Finley, Surfside resident, has coordinated a grass roots effort, similar to that of the Surfside Urban Gardeners (SUG) which presently has an agreement with the Town to manage the Community Garden at Dickens Avenue and 89th Street, to galvanize those residents interested in having a Dog Park. To date, more than 40 residents have signed a petition pledging their support. Once this group finalizes its required obligations (as outlined below) it too would enter into an agreement with the Town as a cooperative venture.

Analysis: As this is the location of an in use sanitary sewage lift station, access to the station would be of primary importance. At times, work on the station would take precedence over use of the park and the park could be closed at a moment's notice to accommodate this situation. This station is set for upgrade and reconfiguration with the present Water/Sewer/Storm Drainage project. The park could be operational by January 2012.

Once the station is rebuilt a dense landscape buffer would be planted abutting the neighbors on the north and western sides of the site. An attractive fence would secure the perimeter of the park and a

sign, similar to the one at the Community Garden, would identify the rules and regulations at the park. A lockable gate would permit access by residents only and also secure the site after hours. Irrigation would be added to accommodate maintaining the park and to provide water for the dogs. The \$10,000 allocated in the proposed Fiscal Year 12/13 Budget would be utilized for these expenses. On-going maintenance would be conducted by Luke's Landscaping. The dog receptacles are presently being emptied by Parks and Recreation staff – this would remain in place with a new park. The Police Department would add the location to their Community Policing procedures.

The park would be opened at 8:00am and closed daily at dusk (or a similar time to be determined). This would correspond with the hours of the 96th Street Park and would be managed by the same staff and procedures. As many residents will walk to the park an adverse parking situation is not anticipated. After almost a year of operation, parking is not a concern at the Community Garden. There is ample street parking in the neighborhood of the park to address any parking as needed.

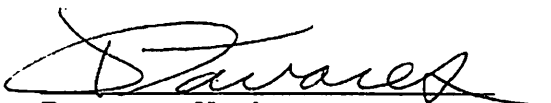
The following is the proposed process required to move this initiative forward:


- Outreach to neighbors (see attached map): residents abutting and within 250 feet of the proposed park (highlighted in yellow in the attachment) would be notified by certified mail of a Community Meeting to discuss the proposed park and would be given a time to respond to the notice if unable to attend the meeting.
- A Community Meeting would be set in October for resident input on the proposed park. This meeting would be advertised through the Town's communication channels.
- Ms. Finley, and the other interested residents, would need to incorporate as a non-profit organization (501(c)3) by November 15, 2012 and present to the Town Administration proof of incorporation. This is in accordance with the process that Surfside Urban Gardeners established.
- An agreement with this group would be brought before Town Commission discussion and ratification at the December 2012 meeting.

Budget Impact: \$10,000 is earmarked in the Fiscal Year 12/13 Budget proposal to construct a basic dog park. Maintenance cost of approximately \$3,000 per year will be incorporated into existing Town contractor agreements as an on-going expense.

Staff Impact: Existing staff, with the assistance of Luke's Landscaping, will be utilized to design and construct the park as well as maintain.

Recommendation: Town Staff awaits Commission direction of this proposed process prior to proceeding.


Department Head


Town Manager

W + E
N
S

NOTIFICATION
ZONE

PROPOSED DOG PARK

To see all the details that are visible on the screen, use the "Print" link next to the map.



93rd St

BYRON AVE



FLORIDA DEPARTMENT OF STATE
Division of Corporations

October 30, 2012

ANN FINDLAY
8859 DICKENS AVE
SURFSIDE, FL 33154

The Articles of Incorporation for TOWN OF SURFSIDE COMMUNITY DOG PARK INC. were filed on October 30, 2012, effective January 1, 2013 and assigned document number N12000010321. Please refer to this number whenever corresponding with this office regarding the above corporation.

PLEASE NOTE: Compliance with the following procedures is essential to maintaining your corporate status. Failure to do so may result in dissolution of your corporation.

To maintain "active" status with the Division of Corporations, an annual report must be filed yearly between January 1st and May 1st beginning in the year following the filed date or effective date indicated above. **It is your responsibility to remember to file your annual report in a timely manner.** A Federal Employer Identification Number (FEI/EIN) will be required when this report is filed. Contact the IRS at 1-800-829-4933 for an SS-4 form or go to www.irs.gov.

Should your corporate mailing address change, you must notify this office in writing, to insure important mailings such as the annual report notices reach you.

Should you have any questions regarding corporations, please contact this office at (850) 245-6052.

Tim Burch, Regulatory Specialist II
New Filing Section

Letter Number: 212A00026568

ARTICLES OF INCORPORATION
In compliance with Chapter 617, F.S., (Not for Profit)

ARTICLE I NAME

The name of the corporation shall be: **Town of Surfside Community Dog Park Inc.**

ARTICLE II PRINCIPAL OFFICE

Principal street address
8859 Dickens Avenue
Surfside FL 33154

Mailing address, if different is:

ARTICLE III PURPOSE

The purpose for which the corporation is organized is:

Local community dog play area for the Town of Surfside residents and their dogs.

ARTICLE IV MANNER OF ELECTION The manner in which the directors are elected and appointed: *As provided in the bylaws of*

ARTICLE V INITIAL OFFICERS AND/OR DIRECTORS

Name and Title: Ann Findley, President
Address: 8859 Dickens Avenue
Surfside FL 33154

Name and Title: Joseph Cordart, Vice-President
Address: 8859 Dickens Avenue
Surfside, FL 33154

Name and Title: Andrew Feld
Address: 8859 Dickens Avenue
Surfside, FL 33154

Name and Title: _____
Address: _____

Name and Title: _____
Address: _____

Name and Title: _____
Address: _____

ARTICLE VI REGISTERED AGENT

The name and Florida street address (P.O. Box NOT acceptable) of the registered agent is:

Name: Joseph Cordart
Address: 8859 Dickens Avenue
Surfside FL 33154

ARTICLE VII INCORPORATOR

The name and address of the Incorporator is:

Name: Ann Findley
Address: 8859 Dickens Avenue
Surfside, FL
33154

Having been named as registered agent to accept service of process for the above stated corporation at the place designated in this certificate, I am familiar with and accept the appointment as registered agent and agree to act in this capacity

Required Signature of Registered Agent

10/26/12
Date

I submit this document and affirm that the facts stated herein are true. I am aware that any false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S.

Ann Findley
Required Signature of Incorporator

10/26/12
Date

Article VIII - Effective Date:
The effective date will be January 1, 2013. *21*
Page 206



EIN Assistant

Your Progress:

1. Identity ✓

2. Authenticate ✓

3. Addresses ✓

4. Details ✓

5. EIN Confirmation

Congratulations! The EIN has been successfully assigned.

EIN Assigned: **46-2109511**

Legal Name: **Town of Surfside Community Dog Park INC.**

The confirmation letter will be mailed to the applicant. This letter will be the applicant's official IRS notice and will contain important information regarding the EIN. Allow up to 4 weeks for the letter to arrive by mail.

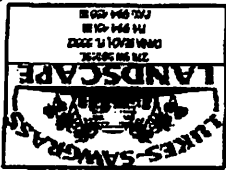
We strongly recommend you print this page for your records.

Click "Continue" to get additional information about using the new EIN.

[Continue >>](#)

Help Topics

- [Can the EIN be used before the confirmation letter is received?](#)

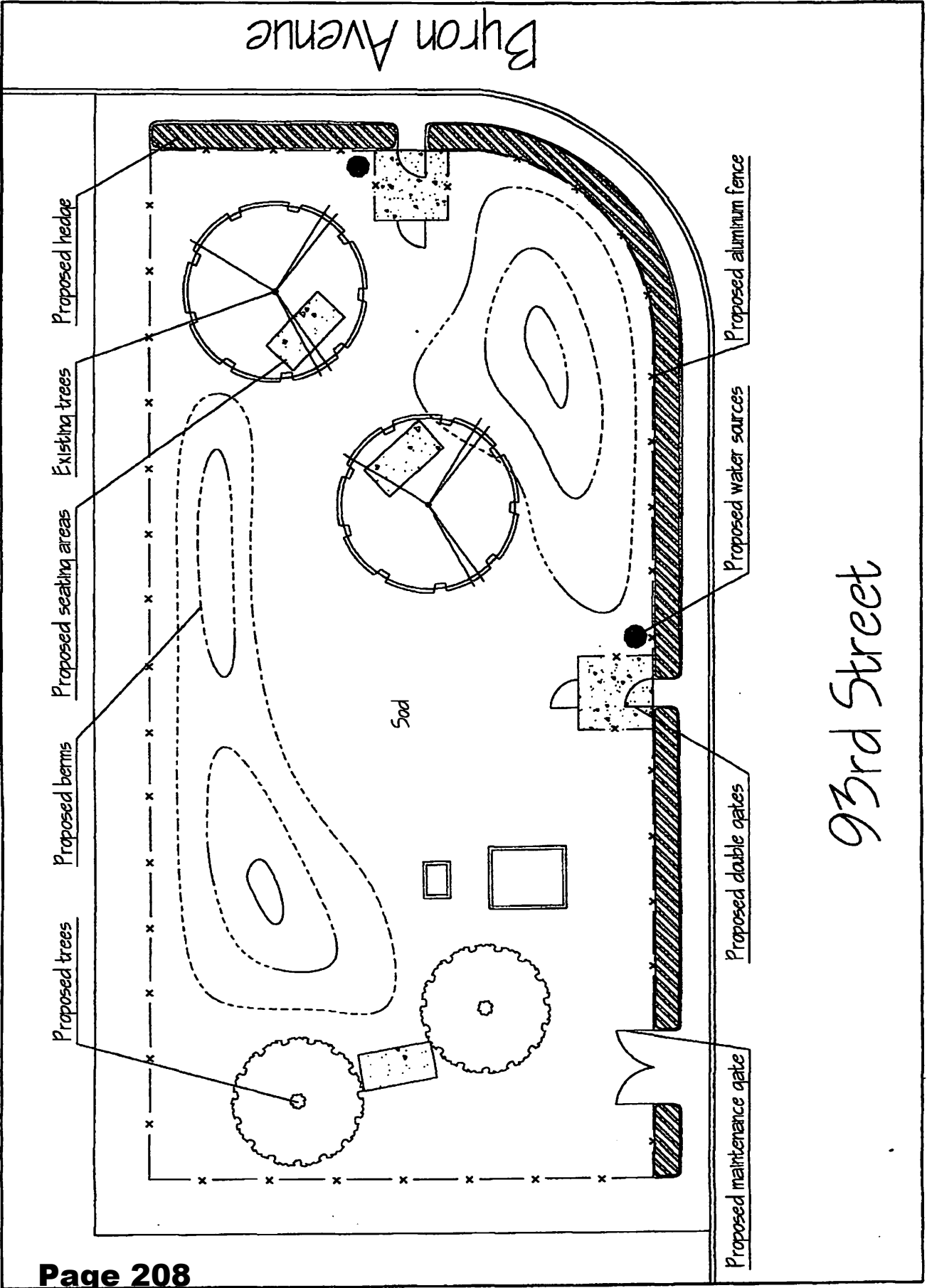


DATE	
BY	
CHECKED	
APPROVED	



93rd Street Dog Park
93rd Street and Byron Avenue
TOWN OF SEBASTIAN, FLORIDA 32954

PROJECT NAME	PROPOSED LANDSCAPE
DATE	
BY	
CHECKED	
APPROVED	
SCALE	
DATE	
BY	
CHECKED	
APPROVED	





WELCOME TO THE SURFSIDE PAWS UP PARK (P.U.P)

This area is for everyone.

Please have fun, be safe, and courteous to your neighbors and their dogs!

- ✿ **BEWARE! P.U.P. is Unsupervised at all times. The use of the P.U.P. is at YOUR own risk. All Patrons Assume Any and All Risks.**
- ✿ The park is open from 8 A.M. to dusk.
- ✿ All dogs must have a collar and be held by a leash while entering or exiting the dog park.
- ✿ Unleash your dog inside the fenced area.
- ✿ Limit of 2 dogs per person on any one visit.
- ✿ Park gates must be kept latched and closed at all times.
- ✿ Puppies under 4 months old are not permitted in the park.
- ✿ Dogs that are in heat, sick or have internal or external parasites (fleas, ticks and worms) are not allowed in the park.
- ✿ Dogs must be vaccinated and display current licenses on their collars.
- ✿ Choke, prong, pinch, and spike collars must be removed inside the Dog Park area.
- ✿ Owners are responsible to clean up after their dogs.
- ✿ Owners must remain in the park with their dogs and monitor its behavior.
- ✿ Owners are legally responsible for their dogs and injury or damages caused by their dogs.
- ✿ If your dog becomes aggressive or is provoking others, it must be removed from the park immediately. **NO PITBULLS ARE ALLOWED**
- ✿ Children under the age of 18 must be supervised by an adult at all times.
- ✿ No food, treats, alcoholic beverages (soft drinks and water are allowed), strollers, or children's toys are allowed in the dog park.
- ✿ Bike riding, skateboarding, and rollerblading are not allowed in the park.
- ✿ No smoking in the park.
- ✿ Use of the P.U.P. shall be for a dog park; **ANY OTHER USE IS PROHIBITED.**

Persons in violation of these rules are subject to removal and possible suspension from the park. Thank you for your cooperation and enjoy the Surfside Paws Up Park (P.U.P.)

In case of any emergencies call -- 911

RESOLUTION NO. 2013- _____

**A RESOLUTION OF THE TOWN OF SURFSIDE,
FLORIDA ACKNOWLEDGING THE
MEMORANDUM OF UNDERSTANDING (“MOU”)
BETWEEN THE TOWN OF SURFSIDE AND THE
TOWN OF SURFSIDE COMMUNITY DOG PARK
INC. TO ACT AS STEWARDS OF THE SURFSIDE
PAWS UP PARK; AUTHORIZING THE TOWN
MANAGER TO EXECUTE AND IMPLEMENT THE
TERMS AND CONDITIONS OF THE MOU; AND
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Town of Surfside Community Dog Park Inc., (hereinafter “CDP”) has been an integral part of the creation of the Surfside Paws Up Park (hereinafter “P.U.P”) and will continue to be a part of the operation of P.U.P; and

WHEREAS, the Town of Surfside, through a Memorandum of Understanding (Exhibit “A”), desires to establish the guidelines and terms of the understanding between the Town of Surfside and CDP; and

WHEREAS, the Town Commission of the Town of Surfside feels it is in the best interests of the Town to enter into this Memorandum of Understanding for the stewardship of the P.U.P.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. That each of the above stated recitals are hereby adopted, confirmed, and incorporated herein.

Section 2. Authorization and Approval. The Town Commission authorizes and approves the Town Manager to execute and implement the MOU.

Section 3. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this ____ day of May, 2013.

Motion by Commissioner _____, second by Commissioner _____.

FINAL VOTE ON ADOPTION

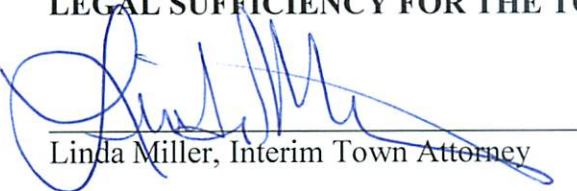
Commissioner Joseph Graubart	_____
Commissioner Michelle Kligman	_____
Commissioner Marta Olchyk	_____
Vice Mayor Michael Karukin	_____
Mayor Daniel Dietch	_____

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, CMC. Town Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE TOWN OF SURFSIDE ONLY:**



Linda Miller, Interim Town Attorney

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE TOWN OF SURFSIDE, A FLORIDA MUNICIPAL CORPORATION
AND THE TOWN OF SURFSIDE COMMUNITY DOG PARK, INC.**

Intent and Terms of the Memorandum of Understanding ("MOU")

The Town of Surfside (hereinafter "Town") and the Town of Surfside Community Dog Park, Inc. (hereinafter "CDP") desire to enter into a memorandum of understanding so that CDP may assist the Town in the ensuring the successful operation of the Surfside Paws Up Park ("P.U.P"). The Town and CDP are committed to working collaboratively.

CDP hereby agrees:

1. CDP will act as stewards of P.U.P.
2. CDP will designate a personnel member as the program liaison.
3. CDP will maintain annual non-profit status as reflected on the attached Articles of Incorporation (Attachment "A".)
4. CDP will report violations of Town policies to appropriate Town personnel; this includes the attached P.U.P Rules and Regulations (Attachment "B".)
5. CDP will monitor and report on condition of the park no less than bi-weekly.
6. CDP will notify the Town in advance of any planned fundraising activities, all approvals must be obtained **prior** to advertising for any planned activity.

The Town and CDP agree that this MOU **does not** confer a right to use any real property for any general purposes, **does not** convey or transfer any right to exclude the Town from any real property, **does not** transfer any interest in real property owned by the Town, and **that it is a MOU for the purposes stated herein only and is not assignable.**

This MOU may be canceled by either party, for convenience, at any time by giving thirty (30) days written notice to the non-cancelling party prior to the effective date of the cancellation.

IN WITNESS WHEREOF, the parties, intending to be legally bound, hereby have executed this Agreement as of the date set forth.

**TOWN OF SURFSIDE
A Florida Municipal Corporation,**

BY: _____
Michael P. Crotty, Town Manager

Date

TOWN OF SURFSIDE COMMUNITY DOG PARK, INC.
A Florida Not For Profit Corporation,

BY: _____
Authorized Representative, Date
Town of Surfside Community Dog Park, Inc.

Attest: _____
Sandra Novoa, Town Clerk Date

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE TOWN OF
SURFSIDE ONLY:

BY: _____
Linda Miller, Interim Town Attorney Date



FLORIDA DEPARTMENT OF STATE
Division of Corporations

October 30, 2012

ANN FINDLAY
8859 DICKENS AVE
SURFSIDE, FL 33154

The Articles of Incorporation for TOWN OF SURFSIDE COMMUNITY DOG PARK INC. were filed on October 30, 2012, effective January 1, 2013 and assigned document number N12000010321. Please refer to this number whenever corresponding with this office regarding the above corporation.

PLEASE NOTE: Compliance with the following procedures is essential to maintaining your corporate status. Failure to do so may result in dissolution of your corporation.

To maintain "active" status with the Division of Corporations, an annual report must be filed yearly between January 1st and May 1st beginning in the year following the filed date or effective date indicated above. **It is your responsibility to remember to file your annual report in a timely manner.** A Federal Employer Identification Number (FEI/EIN) will be required when this report is filed. Contact the IRS at 1-800-829-4933 for an SS-4 form or go to www.irs.gov.

Should your corporate mailing address change, you must notify this office in writing, to insure important mailings such as the annual report notices reach you.

Should you have any questions regarding corporations, please contact this office at (850) 245-6052.

Tim Burch, Regulatory Specialist II
New Filing Section

Letter Number: 212A00026568

www.sunbiz.org

Division of Corporations - P.O. BOX 6327 -Tallahassee, Florida 32314

ARTICLES OF INCORPORATION
In compliance with Chapter 617, F.S., (Not for Profit)

ARTICLE I NAME

The name of the corporation shall be: **Town of Surfside Community Dog Park Inc.**

ARTICLE II PRINCIPAL OFFICE

Principal street address
8859 Dickens Avenue
Surfside Fl 33154

Mailing address, if different is:

ARTICLE III PURPOSE

The purpose for which the corporation is organized is:

Local community dog play area for the Town of Surfside residents and their dogs.

ARTICLE IV MANNER OF ELECTION The manner in which the directors are elected and appointed: *As provided in the bylaws.*

ARTICLE V INITIAL OFFICERS AND/OR DIRECTORS

Name and Title: Ann Findlay, President
Address: 8859 Dickens Avenue
Surfside Fl 33154

Name and Title: Joseph Corderi, Vice President
Address: 8859 Dickens Avenue
Surfside, Fl 33154

Name and Title: Andrew Feld
Address: 8859 Dickens Avenue
Surfside, Fl 33154

Name and Title: _____
Address: _____

Name and Title: _____
Address: _____

Name and Title: _____
Address: _____

ARTICLE VI REGISTERED AGENT

The name and Florida street address (P.O. Box NOT acceptable) of the registered agent is:

Name: Joseph Corderi
Address: 8859 Dickens Avenue
Surfside FL 33154

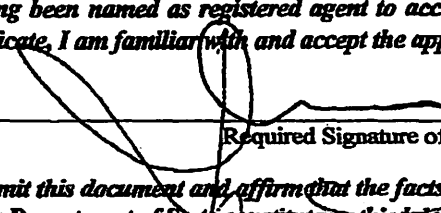
FILED
12 OCT 30 PM 3:35
SECRETARY OF STATE
TALLAHASSEE, FL

ARTICLE VII INCORPORATOR

The name and address of the Incorporator is:

Name: Ann Findlay
Address: 8859 Dickens Avenue
Surfside, Fl
33154

Having been named as registered agent to accept service of process for the above stated corporation at the place designated in this certificate, I am familiar with and accept the appointment as registered agent and agree to act in this capacity



Required Signature of Registered Agent

10/26/12

Date

I submit this document and affirm that the facts stated herein are true. I am aware that any false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S.



Required Signature of Incorporator

10/26/12

Date

Article VIII - Effective Date:

The effective date will be January 1, 2013. 2



EIN Assistant

Your Progress:

1. Identity ✓

2. Authenticate ✓

3. Addresses ✓

4. Details ✓

5. EIN Confirmation

Congratulations! The EIN has been successfully assigned.

EIN Assigned: 46-2109511

Legal Name: Town of Surfside Community Dog Park INC.

The confirmation letter will be mailed to the applicant. This letter will be the applicant's official IRS notice and will contain important information regarding the EIN. Allow up to 4 weeks for the letter to arrive by mail.

We strongly recommend you print this page for your records.

Click "Continue" to get additional information about using the new EIN.

[Continue >>](#)

Help Topics



[Can the EIN be used before the confirmation letter is received?](#)



DATE	
BY	
CHECKED	
APPROVED	



93rd Street Dog Park
93rd Street and Byron Avenue
TOWN OF SUWANNEE, FLORIDA 32154

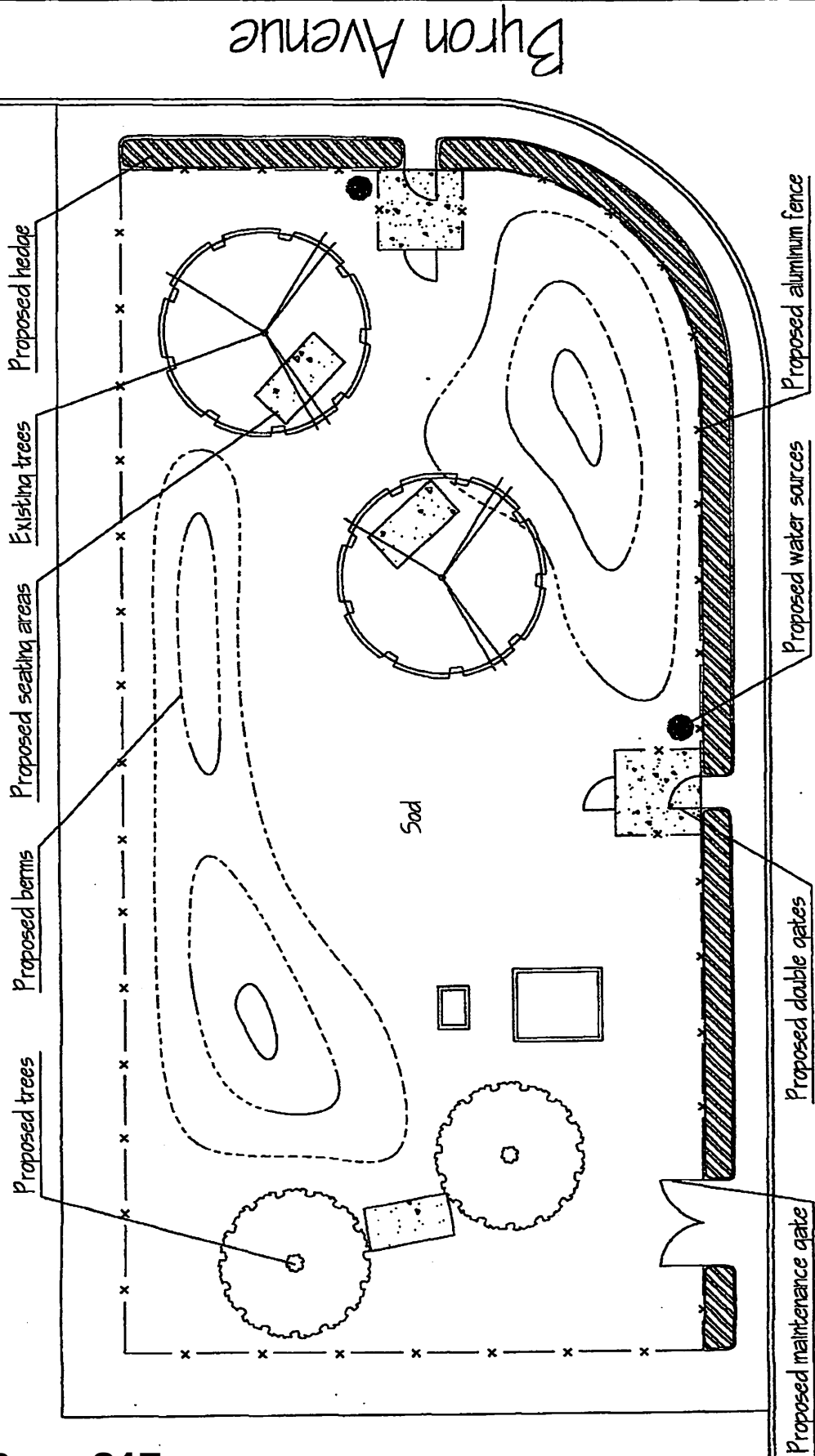
PROJECT NAME

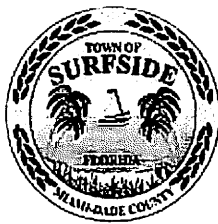
PROPOSED
LANDSCAPE

DATE	
BY	
CHECKED	
APPROVED	

SCALE

93rd Street





WELCOME TO THE SURFSIDE PAWS UP PARK (P.U.P)

This area is for everyone.

Please have fun, be safe, and courteous to your neighbors
and their dogs!

- ✿ **BEWARE! P.U.P. is Unsupervised at all times. The use of the P.U.P. is at YOUR own risk. All Patrons Assume Any and All Risks.**
- ✿ The park is open from 8 A.M. to dusk.
- ✿ All dogs must have a collar and be held by a leash while entering or exiting the dog park.
- ✿ Unleash your dog inside the fenced area.
- ✿ Limit of 2 dogs per person on any one visit.
- ✿ Park gates must be kept latched and closed at all times.
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- ✿ Bike riding, skateboarding, and rollerblading are not allowed in the park.
- ✿ No smoking in the park.
- ✿ **Use of the P.U.P. shall be for a dog park; ANY OTHER USE IS PROHIBITED.**

Persons in violation of these rules are subject to removal and possible suspension from the park. Thank you for your cooperation and enjoy the Surfside Paws Up Park (P.U.P.)

In case of any emergencies call -- 911

RESOLUTION NO. 13_____

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING AN EXPENDITURE NOT TO EXCEED \$16,083.81. TO LUKES' LANDSCAPING, INC. DBA LUKES-SAWGRASS LANDSCAPE FOR A PROPOSAL ON THE SURFSIDE PAWS UP PARK PROJECT; PROVIDING FOR AUTHORIZATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The Town Commission has approved designation of a community dog park, Surfside Paws Up Park ("P.U.P") located at 93rd Street and Byron Avenue; and

WHEREAS, the Town Commission authorized \$18,000.00 to be budgeted in FY12/13 for the creation of a dog park at 93rd Street and Byron Avenue; and

WHEREAS, completion of the proposed park requires landscaping, installation of fencing, and irrigation; and

WHEREAS, the Town Commission adopted Resolution No. 11-2061 (incorporated by reference) authorizing the Town Administration to enter into an agreement with Lukes' Landscaping Inc. DBA Lukes-Sawgrass Landscape (hereinafter "Lukes") by piggybacking off of a competitively bid contract awarded by the City of Aventura to provide landscape maintenance services for the same price per unit of service; and

WHEREAS, it is in the best interest of the Town to authorize an expenditure not to exceed \$16,083.81 to Lukes, for work described Proposal (see Exhibit "A") on the completion of the P.U.P at 93rd Street and Byron Avenue.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above-stated recitals are hereby adopted and confirmed.

Section 2. Approval and Authorization. The Town Commission approves and authorizes the Town Manager and/or his designee to take all actions necessary to implement the terms and conditions of the Proposal with Luke's in the amount of \$16,083.81. for the above referenced P.U.P project.

Section 3. Effective Date. This Resolution shall be effective immediately from adoption hereof.

PASSED and **ADOPTED** on this ____ day of May, 2013

Motion by Commissioner _____, second by Commissioner _____.

FINAL VOTE ON ADOPTION

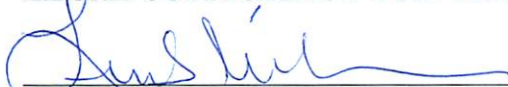
Commissioner Joseph Graubart	_____
Commissioner Michelle Kligman	_____
Commissioner Marta Olchyk	_____
Vice Mayor Michael Karukin	_____
Mayor Daniel Dietch	_____

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, CMC
Town Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE TOWN OF SURFSIDE ONLY:**



Linda Miller, Interim Town Attorney



2711 SW 36th Street, Dania Beach, FL 33312
PHONE: 954-431-1111 FAX: 954-433-1111

PROPOSAL

DATE	PROPOSAL #
4/22/2013	0413341

Town of Surfside
9293 Harding Avenueu4
ATTENTION: John DiCenso

Ship To

EMAIL	DIVISION	REP	APPROVED BY:	PROJECT	P.O. NUMBER	
lyn@luke-sawgrass.biz	2200 - Lands...	MF		0413341LM/93dogpk		
DESCRIPTION				QTY	COST	TOTAL
93RD STREET DOG PARK -						
INSTALLATION OF TREES AND SHRUBS:						
2 Trees to be donated by Lukes-Sawgrass - AT NO CHARGE AS FOLLOWS:				2	0.00	0.00
FENCE - INSTALLATION OF 6' WOODEN FENCE (72' linear feet) WITH 2 - 5' SWING GATES:						
1 @ 3 hours - Foreman per hour - as per City of Aventura bid # 10-07-12-2 and Resolution # 2010-46				3	27.50	82.50
3 @ 3 hours each - 49Laborer per hour - as per City of Aventura bid # 10-07-12-2 and Resolution # 2010-46				9	18.00	162.00
Sections of fencing				9	51.75	465.75
4" x 4" x 8'				9	9.52	85.68
Bags of concrete				9	2.25	20.25
INSTALLATION OF 5' ALUMINUM FENCING WITH DOUBLE PICKETS (150 liner feet) WITH "SALLY PORT"						
150 linear feet of fence				150	38.32	5,748.00
Bags of concrete				36	2.25	81.00
1 @ 12 hours - Foreman per hour - as per City of Aventura bid # 10-07-12-2 and Resolution # 2010-46				12	27.50	330.00
3 @ 12 hours each Laborer per hour - as per City of Aventura bid # 10-07-12-2 and Resolution # 2010-46				36	18.00	648.00
SOD, IRRIGATION AND DOGGIE WATER FOUNTAIN:						
Pallets of Floratam "St. Augustine" sod - as per City of Aventura bid # 10-07-12-2 and Resolution # 2012-46				14	200.00	2,800.00
Installation of irrigation system				1	3,460.00	3,460.00
Signage - budgeted				1	1,000.00	1,000.00
Concrete walkway - budgeted				1	1,200.00	1,200.00

IF APPROVED, PLEASE SIGN: _____
Void after 90 days

THANK YOU!
www.lukes-sawgrass.biz

TOTAL



PROPOSAL

DATE	PROPOSAL #
4/22/2013	0413341

2711 SW 36th Street, Dania Beach, FL 33312
 PHONE: 954-431-1111 FAX: 954-433-1111

Town of Surfside
 9293 Harding Avenueu4
 ATTENTION: John DiCenso

Ship To

EMAIL	DIVISION	REP	APPROVED BY:	PROJECT	P.O. NUMBER	
lyn@luke-sawgrass.biz	2200 - Lands...	MF		0413341LM/93dogpk		
DESCRIPTION				QTY	COST	TOTAL
NOTE: DOES NOT INCLUDE BENCHES, TRASH RECEPTACLES, DOGGIE WATER FOUNTAIN, AND POOPER SCOOPERS						

IF APPROVED, PLEASE SIGN: _____
 Void after 90 days

THANK YOU!!
 www.lukes-sawgrass.biz

TOTAL

\$16,083.18

WATER FOUNTAIN 3,865.00

19,948.18

< 1,948.18 >

Sandra Novoa

From: Joe Graubart
Sent: Wednesday, April 17, 2013 11:18 AM
To: Roger Carlton; Elected Officials; Michael Crotty
Cc: Sandra Novoa; Priscilla Krutules; Duncan Tavares; Linda Miller
Subject: RE: RE: Sad News

Yes, please. And, a check in an appropriate amount - \$ 500.00 seems appropriate?
 Principal Sidener raised MBSHS from a "D" school to an "A" school according to the article.

The obituary / news article states:

In lieu of flowers, the family requests donations to a scholarship fund that will be established in Sidener's memory. A celebration of her life is planned for June, following Whit Sidener's retirement from the Frost School.

Read more here: http://www.miamiherald.com/2013/04/16/3347583_p2/rosann-sidener-miami-beach-high.html#storylink=cpy

>>> ELECTED OFFICIALS PLEASE DO NOT RESPOND TO ME OR TO ONE ANOTHER REGARDING THIS CLERICAL/INFORMATIONAL MATTER – ONLY COMMUNICATE TO NON-ELECTED TOWN OFFICIALS (STAFF) – AND/OR WAIT UNTIL A COMMISSION MEETING TO DISCUSS - AS COMMUNICATING ABOUT THIS COULD BE A VIOLATION OF SUNSHINE LAWS. <<<



Joe Graubart
 Commissioner
 Town of Surfside
 9293 Harding Avenue
 Surfside, Florida 33154
 Phone (305) 861-4863
 Fax (305) 861-1302
jgraubart@townofsurfsidefl.gov

From: Roger Carlton
Sent: Wednesday, April 17, 2013 10:03 AM
To: Joe Graubart; Elected Officials; Michael Crotty
Cc: Sandra Novoa; Priscilla Krutules; Duncan Tavares; Linda Miller
Subject: RE: RE: Sad News

Joe, would you like a resolution of sympathy? Please see if she had a favorite charity and let us know. Sandra and Michael, Linda can draft the resolution.

From: Joe Graubart
Sent: Tuesday, April 16, 2013 10:57 PM
To: Elected Officials; Roger Carlton; Michael Crotty
Cc: Sandra Novoa; Priscilla Krutules; Duncan Tavares
Subject: RE: Sad News

I was unaware that Miami Beach Senior High School Principal was battling Cancer – which, she sadly lost.

<http://frrole.com/o/rosann-sidener-miami-beach-high-princip-miamiherald-miami>

Perhaps we can do something in her honor?



Joe Graubart
Commissioner
Town of Surfside
9293 Harding Avenue
Surfside, Florida 33154
Phone (305) 861-4863
Fax (305) 861-1302
jgraubart@townofsurfsidefl.gov

The Miami Herald

Posted on Tue, Apr. 16, 2013

Rosann Sidener, Miami Beach High principal, succumbs to cancer

By Elinor J. Brecher

ebrecher@miamiherald.com



Rosann Sidener, the much beloved principal of Miami Beach High, and the 2012 Florida Principal of the Year, died Monday evening of ovarian cancer.

Just before Christmas 2012, a sign went up outside Miami Beach Senior High School designating the bus lane as Rosann Sidener Way.

Sidener, the school's beloved principal since 2007, was on leave to battle cervical cancer, but she showed up for the after-school ceremony to dedicate the sign.

"It was very tough for her to get there," said her husband, University of Miami music professor Whit Sidener. "She was in a lot of pain. But then she transitions into 'Dr. Sidener from Columbia University' and gives a rousing, touching, inspiring, emotional speech."

"Doc" Sidener, as everyone called her, told cheering students and faculty: "I love the idea that it's a 'way...' It's not *my* way, but the Miami Beach High way. The Beach

High way is putting kids first, and celebrating diversity."

Then, drained by the effort and months of grueling treatment at M.D. Anderson Cancer Center in Houston, she went into her office, closed the door, and lay down on the floor.

She maintained that level of commitment to school affairs until days before her death Monday night at the Coral Gables home she shared with her husband and their cat, Leonard. They also kept an apartment on South Beach, close to the school, at 2231 Prairie Ave.

John Donohue, who took over for Sidener in July as temporary principal, said she sat with staff members at her dining room table last week — thin, weak and on morphine — hammering out next year's schedule and dealing with personnel issues.

To the end, he said, she remained "cheerful and positive," the exact qualities that enabled Sidener to oversee Beach High's rise from a "D" school to an "A" in four years.

Sidener, born Rosann Powell in Pittsburgh on April 26, 1955, was 57 when she died, and so popular with students and faculty that the Florida Department of Education allowed Tuesday's FCAT tests to be postponed for a day so that the Beach High family could grieve.

The Miami-Dade County Commission observed a moment of silence in her memory at its Tuesday meeting, and the Miami Beach Fire Department planned on sending representatives to a vigil at the school Tuesday evening.

"The fire department feels she was a pillar of the community and a very positive influence on many young lives at Miami Beach High School," said Capt. Adonis Garcia. "We'll be flying the flag at half staff from a ladder truck...We feel like it's the right thing to do."

Named Florida Principal of the Year in 2012, Sidener began teaching in Miami-Dade in 1977. She served as assistant principal at Nautilus Middle School and Miami Senior High, choral director at Palmetto High School, and principal at Booker T. Washington High School before taking the helm at Beach High.

She held degrees from Columbia and UM, where her husband chairs the Department of Studio Music and Jazz.

She brought the International Baccalaureate and the Scholars Academy and Advancement Via Individual Determination programs to Beach High, oversaw its move to a new building, and saw the graduation rate rise from 63 percent to 75 percent.

"She was a magnet" for students' attention when she walked the halls or visited classrooms, Donohue said. She knew most of the 2,400 kids by name.

Also last year, Sidener won the Miami Beach Chamber of Commerce's Jan Pfeiffer Distinguished Service Award, honoring her partnership with the City of Miami Beach to dramatically reverse the high school's academic fortunes.

David Guthrie, who's been teaching at Beach High for 21 years, said Sidener came to an "old building where things were rundown" with a vision and "incredible drive for change.

"She met with several veteran teachers and sought a lot of input: 'What kind of change do you think has to happen?'" Guthrie recalled. "She didn't come in and tell people what to do."

But her great talent was expecting only the best from faculty, staff, students and herself, Guthrie said.

"You wanted to rise up and meet those standards. Her biggest contribution was changing the culture and values of the school, making everyone want to achieve at the highest level, and motivating her staff to do that."

Laurie Kaye-Davis, the school's Parent-Teacher-Student Association president, said Sidener encouraged parent involvement.

"There are many admins where parents are welcomed, but cautiously. I describe Dr. Sidener's policy as 'open mind, open heart, open door.' There is total transparency and honesty...

"The kids responded to her because she was a leader who really believed in teamwork and collaboration, and didn't ask of anyone to do anything she wouldn't do herself, even picking up trash."

Sidener was the youngest of four siblings whose mother taught music and whose father worked in the security business, said her sister, Carol Eaton, of Milwaukee.

She was always independent, and at 15 months told her mother: "I can do it myself!"

She began playing violin in fourth grade, sang lead roles in school musicals and at church, and began sewing her own clothes in seventh grade, Eaton said.

Sidener also played piano and the French horn.

She met Whitney Sidener at UM in 1979. Both divorced, they shared a love of jazz, classic music and travel, and married at Palmetto Presbyterian Church in 1983.

"She liked teaching because music was part of her life," her husband said. "She loved conducting and loved turning kids on to music. And she was really good at it. She had one of the top choral programs in the area."

They spent a year living on New York City's Upper West Side in the early 1990s while Rosann worked toward her doctorate and Whit taught at the Manhattan School of Music.

Sidener was exceptionally fit, worked out with a personal trainer, and embraced physical challenges. During Christmas 2010, the Sideners rode mules to the bottom of the Grand Canyon, then hiked out into a blizzard.

But in January 2011, Rosann Sidener began feeling sick. After getting a diagnosis, "she became an expert in cervical cancer," her husband said. "At M.D. Anderson, they marveled at how organized she was. She was a total advocate for herself."

She continued to attend meetings at Beach High until last month, Donohue said.

Tuesday evening, an emotional crowd of about 300 carried candles and flowers at a vigil, talked about "Doc's" impact, and chanted her slogan: "Beach is dynamite!"

Senior class president Shannon Kaplan called her "our cheerleader, our mom, our colleague...Being a principal wasn't just a job; it was her life. It kept her going."

Senior Nikiya Carrero recalled how Sidener, already sick, showed

Eaton said that just before her sister's death, she asked her to name her most important accomplishment.

She told Eaton: " 'Changing Beach High into a better place for kids to be, and giving all kids a better shot at education. It's not done yet, but we're getting there.' That's what she was about."

In addition to her husband and sister, Rosann Sidener is survived by her mother, Martha Powell; brothers Samuel and Daniel Powell; and stepson David Sidener.

In lieu of flowers, the family requests donations to a scholarship fund that will be established in Sidener's memory. A celebration of her life is planned for June, following Whit Sidener's retirement from the Frost School.

Herald reporter Christina Veiga contributed to this story.

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Sandra Novoa

From: Joe Graubart
Sent: Tuesday, April 16, 2013 9:48 PM
To: Roger Carlton; Michael Crotty; Sandra Novoa; Priscilla Krutules; Duncan Tavares
Cc: Elected Officials
Subject: RE: Award

Town Manager:

RE: Below

I would like to present Principal Sidener with an Award / Proclamation (recognition) at the next Town Commission meeting – if she is available that evening – if not, the following meeting is fine.

If I can be of any assistance – please let me know.

Thank you

Beach High Principal Roseann Sidener Named Tops in State of Florida

May 26, 2012 — Coral Gables, FL — Roseann Sidener (B.M. '78, M.M. '87), the principal at Miami Beach Senior High, was named the 2012 Principal of the Year by the Florida Association of School Administrators. Sidener earned both a bachelor's degree and master's of music in music education from the University of Miami Frost School of Music.

Sidener will represent the state in the 2013 National Principal of the Year competition (winners to be announced in September). **Under Sidener's leadership, Miami Beach High's grade in the State of Florida has gone from a "D" in 2007 to an "A" this year.** The high school's graduation rate has increased from 63 to 75 percent.

Sidener will receive the statewide award on June 13 and will be recognized by the Miami Beach Chamber of Commerce on June 2.

>>> ELECTED OFFICIALS PLEASE DO NOT RESPOND TO ME OR TO ONE ANOTHER REGARDING THIS CLERICAL/INFORMATIONAL MATTER – ONLY COMMUNICATE TO NON-ELECTED TOWN OFFICIALS (STAFF) – AND/OR WAIT UNTIL A COMMISSION MEETING TO DISCUSS - AS COMMUNICATING ABOUT THIS COULD BE A VIOLATION OF SUNSHINE LAWS. <<<



RESOLUTION NO. 13 _____

**A RESOLUTION OF THE TOWN OF SURFSIDE;
APPROVING A DONATION OF \$250.00 TOWARDS
ESTABLISHMENT OF AN EDUCATIONAL SCHOLARSHIP
FUND IN HONOR OF DR. ROSANN SIDENER; THE
DONATION WILL BE FUNDED FROM THE GENERAL
FUND ACCOUNT NO. 001-1000-511-5290; PROVIDING
APPROVAL AND AUTHORIZATION; PROVIDING FOR AN
EFFECTIVE DATE.**

WHEREAS, the Town of Surfside wishes to honor Dr. Rosann Sidener and the family's request and supports the establishment of an educational scholarship fund with a \$250.00 donation; and

WHEREAS, the donation will be funded from the General Fund, Account No. 001-1000-511-5290 for FY 2012/2013; and

WHEREAS, the Town Commission of the Town of Surfside wishes to honor Dr. Rosann Sidener's distinguished education service to the community by supporting the establishment of an educational scholarship fund.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above and foregoing are true and correct and are incorporated herein by reference

Section 2. Approval and Authorization. The Town Manager is hereby approved and authorized to expend General Funds to Dr. Rosann Sidener's family for the establishment of an educational scholarship fund.

Section 3. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this ____ day of May, 2013.

Motion by Commissioner _____, second by Commissioner _____.

FINAL VOTE ON ADOPTION


Commissioner Joseph Graubart	_____
Commissioner Michelle Kligman	_____
Commissioner Marta Olchyk	_____
Vice Mayor Michael Karukin	_____
Mayor Daniel Dietch	_____

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa
Town Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE
TOWN OF SURFSIDE ONLY:**



Linda Miller, Interim Town Attorney



Town of Surfside Commission Communication

Agenda Item 5C

Agenda Date: May 15, 2013

Subject: Abbott and 94th Street Parking Improvements –(Also POL #61)

Background: In December, 2010, Lynx Construction was awarded a contract for design build services for 222 95th Street (Post Office Lot) for design and construction of the new parking lot. At the June 14, 2011 meeting, the Town Commission approved FTE Engineering Inc. to do a Parking Lot Improvement Study for all six (6) municipal parking lots. The purpose of this study was to analyze each of the Town's parking lots, recommend improvements, prioritize the recommendations and provide an engineering estimate of what the improvements would cost.

A bid proposal was also received under the Lynx contract to renovate the Abbott, 95th Street (Shul) 94th Street, Town Hall (93rd Street) and Town Hall (Collins) lots totaling \$220,000 which was below the \$450,000 estimated figure. Renovation was completed on the two Town Hall lots and the 95th Street (Shul) lot for \$95,000 and the cost of landscaping added \$97,000. The remaining lot improvements were delayed pending the Parking Structure Feasibility Study (information from the August, 2012 Points of Light).

Analysis: The Abbott Avenue and 94th Street lots continued to deteriorate pending receipt of the Parking Structure Feasibility Study. The parking lot surfaces need a seal coat applied; re-striping; stucco repairs to walls; and re-painting of walls. Aesthetic improvements consistent with what was recently accomplished at the 93rd Street Lot (across from Town Hall) would provide consistency with previous Town parking lot projects. Former Interim Public Works Director John Di Censo, following receipt of the Parking Feasibility Study, inventoried conditions of the Abbott and 94th Street lots and identified needed capital maintenance issues (sealing, stucco repairs, painting, need for consistency in concrete painting and lack of aesthetic improvements consistent with projects undertaken at other Town parking lots).

Cost of the above improvements:

A. Abbott Parking Lot

• Maintenance Improvements	\$33,691.43
• concrete cuts	\$13,200.00
• landscaping	<u>\$63,585.50</u>
TOTAL Abbott:	\$110,476.93

B. 94th Street Parking Lot

• Maintenance Improvements	\$14,590.00
• concrete cuts	\$7725.00
• landscaping	<u>\$38,051.70</u>
TOTAL 94 TH Street:	\$60,366.70

The existing condition of the lots require the proposed maintenance listed above and upgrade in landscaping of the Abbott and 94th Street lots would be consistent with the Town's efforts on other lots in the business district. This will achieve the original intent of the Commission regarding the upgrading of the parking lots.

How does the landscaping cost for the Abbott and 94th Street lots compare with other Town parking lot projects? The cost of the landscaping for the recently completed landscaping at the 93rd Street lot (across from Town Hall) was \$38,337.50. The cost for landscaping of the Abbott lot is \$63,585.50 and \$38,051.70 for the 94th Street lot.

Finally, the original proposal by the contractor for landscaping the Abbott and 94th Street lots has been reduced by \$35,547.50 (\$21,485.50 for Abbott; \$14,062.00 for 94th) by selecting less costly and smaller trees and reducing certain aesthetic enhancements.

If the Commission authorizes these projects, it will complete the projects identified for parking lot upgrades.

Budget Impact: Consistent with the prior action of the Commission to fund parking lot improvements, the \$170,843.63 total cost of the improvements to the Abbott and 94th Street parking lots would be funded through the reserves of the Municipal Parking Fund (balance as of February 28, 2013: \$1,278,476)

Recommendation: Staff recommends that the Town Commission adopt a resolution accepting the additional services proposal for additional services for upgrades to the Abbott and 94th Street parking lots.

(Note: an option exists to consider a proposal only addressing Maintenance Improvements (\$48,281.43) and postpone/eliminate landscaping/aesthetic upgrades).



Michael P. Crotty, Town Manager

RESOLUTION NO. 13_____

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING AN EXPENDITURE NOT TO EXCEED \$46,891.43 FOR THE RENOVATION OF THE ABBOTT AVENUE PARKING LOT AND \$22,315.00 FOR RENOVATION OF THE 94TH STREET PARKING LOT, TO LYNX CONSTRUCTION LLC. FOR A WORK ORDER ON THE PARKING LOT IMPROVEMENT PROJECT; PROVIDING FOR AUTHORIZATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission previously approved renovation of three (3) Municipal Parking Lots and delayed improving the remaining parking lots until completion of the Parking Structure Feasibility Study, that was completed in March 2013; and

WHEREAS, the Town has inventoried the remaining parking lots and identified capital maintenance issues at the Abbott Avenue and 94th Street parking lots; and

WHEREAS, the Town Commission adopted Resolution No. 10-1980 (incorporated by reference) authorizing the Town Administration to award the contract to Lynx Construction, LLC. (hereinafter "Lynx") for design-build services to renovate the Municipal parking lots; and

WHEREAS, the Town has determined that the Abbott Avenue and 94th Street parking lots are in need of capital maintenance and aesthetic improvements; and

WHEREAS, Lynx has submitted the below options for renovations to be paid from the Municipal Parking Fund:

Abbott Avenue Parking Lot (Exhibit "A")

- **Option 1** maintenance improvements only-\$33,691.43
- **Option 2** concrete cuts for landscaping improvements only-\$13,200
- **Option 3** both maintenance improvements and concrete cuts for landscaping improvements-\$46,891.43; and

94th Street Parking Lot (Exhibit “B”)

Option 1 maintenance improvements only-\$14,590

Option 2 concrete cuts for landscaping improvements only-\$7,725.00

Option 3 both maintenance improvements and concrete cuts for landscaping improvements-\$22,315.00

WHEREAS, it is in the best interest of the Town to authorize an expenditure consistent with the selected option (see above) for renovation of the Abbott Avenue and 94th Street parking lots.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above-stated recitals are hereby adopted and confirmed.

Section 2. Selection of Proposal Options. The Town Commission selects option __ for renovation of the Abbott Avenue parking lot and selects option __ for the 94th Street parking lot.

Section 3. Approval and Authorization. The Town Commission approves and authorizes the Town Manager and/or his designee to take all actions necessary to implement the work order with Lynx, consistent with the selected proposal option for renovation of the Abbott Avenue and 94th Street parking lots.

Section 4. Effective Date. This Resolution shall be effective immediately from adoption hereof.

PASSED and ADOPTED on this ____ day of May, 2013

Motion by Commissioner _____, second by Commissioner _____.

FINAL VOTE ON ADOPTION

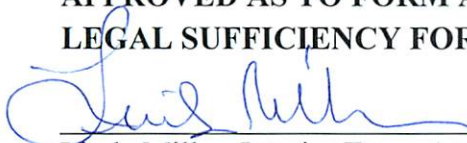
Commissioner Joseph Graubart	_____
Commissioner Michelle Kligman	_____
Commissioner Marta Olchyk	_____
Vice Mayor Michael Karukin	_____
Mayor Daniel Dietch	_____

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, CMC
Town Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE TOWN OF SURFSIDE ONLY:**



Linda Miller, Interim Town Attorney



EXHIBIT "A"

Lynx Construction Management, LLC
45 Almeria Ave | Coral Gables, Florida 33134
P: 305-523-3656 | F: 888-499-1748 | E: info@Lynxcs.com
CGC 1518484

Additional Services Under Continued Award to Lynx Construction Management LLC. Pursuit to Resolution 10-1980

DATE: April 29, 2013

LCM 11.2 Surfside

ENGINEER

ADDRESS

PROJECT NAME

LCM PROJECT NO.

TIME EXTENSION

Additional Services under continued award to Lynx Construction Management LLC
Pursuit to Resolution 10-1980

SCOPE OF WORK EXTERIOR: We hereby propose to furnish materials, equipment, all labor and supervision necessary for repairs of the Abbot Lot.
Time of contract will be extended until completion of work.

- Seal coat
- Stripe
- Paint (both sides perimeter wall)
- Stucco (Allowwance NTE \$2,500.00)
- Stain sidewalk inside parking lot
- Town will provide all preasure cleaning of sidewalks and walls

prepare concrete planters for up to 60 openings for landscape to be done by others
concrete max 6 inches thick adjustments required for buried objects and thicker concrete if encountered

	UNIT	DURATION - DAYS	UNIT COST	EXTENDED PRICE
BASE	LUMP SUM			\$33,691.43
additional cost concrete cutting for landscape 60 planters	planters	as needed		\$13,200.00
				\$46,891.43

schedule commence as soon as this Additional Services Request is approved or as otherwise work may occur simultaneously in more than one location at a time.

Schedule will be equitable adjusted for rain, weather material shortages and other causes as listed in base contract .

GC reserves the right to request an equitable time extension for rescheduling delays, disruption, acceleration and/or impact in the event this modification changes the construction sequence and/or time of completion.

SUBMITTED BY :

APPROVED BY :

Jorge Hammal Lynx Construction Management, LLC

cc: OFFICE - LCM 11.2 Surfside
FIELD -



Lynx Construction Management, LLC
45 Almeria Ave | Coral Gables, Florida 33134
P: 305-523-3656 | F: 888-499-1748 | E: info@Lynxcs.com
CGC 1518484

**Additional Services
under continued Award to
Lynx Construction Management LLC
Pursuit to Resolution 10-1980**

DATE: April 29, 2013

LCM 10.2 Surfside

ENGINEER

ADDRESS

PROJECT NAME
LCM PROJECT NO.
TIME EXTENSION

**Additional Services under continued Award to Lynx Construction Management LLC
Pursuit to Resolution 10-1980**

SCOPE OF WORK EXTERIOR: We hereby propose to furnish materials, equipment, all labor and supervision necessary for repairs of the 94th Street Lot.
Extend contract time as may be needed to complete work. Time of contract will be extended until completion of work.

- Stucco Repairs (allowance NTE \$1,250.00)
- Seal coat parking
- Striping
- Paint walls: 2 sides on right of way, 1 side south and east walls
- Stain sidewalk inside parking lot
- Town will provide all pressure cleaning of sidewalks and walls
- alternate to cut up to 35 planters in preparation of landscape to be done by others

concrete is maximum 6 inches thick, additional thickness or underground objects may require cost adjustment

	UNIT	DURATION - DAYS	UNIT COST	EXTENDED PRICE
BASE	LUMP SUM			\$14,590.00
additional cost concrete cutting for landscape 35 planters				\$7,725.00
total				\$22,315.00

schedule commence as soon as this Additional services request is approved or as otherwise mutually determined with Town work may occur simultaneously in more than one location at a time.

Schedule will be equitable adjusted for rain, weather material shortages and other causes as listed in base contract .

GC reserves the right to request an equitable time extension for rescheduling delays, disruption, acceleration and/or impact in the event this modification changes the construction sequence and/or time of completion.

SUBMITTED BY :

APPROVED BY :

Jorge Hammal Lynx Construction Management, LLC

cc: OFFICE - LCM 10.2 Surfside
FIELD -

RESOLUTION NO. 13_____

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING AN EXPENDITURE NOT TO EXCEED \$63,585.50 FOR THE ABBOTT AVENUE PARKING LOT AND \$38,051.70 ON THE 94TH STREET PARKING LOT TO LUKES' LANDSCAPING, INC. DBA LUKES-SAWGRASS LANDSCAPE FOR A PROPOSAL TO LANDSCAPE THE ABBOTT AVENUE AND 94TH STREET PARKING LOTS; APPROVING AND AUTHORIZING EXPENDITURES FROM THE MUNICIPAL PARKING FUND; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission previously approved renovation of three (3) Municipal Parking Lots and delayed improving the remaining parking lots until completion of the Parking Structure Feasibility Study, that was completed in March 2013; and

WHEREAS, the Town has inventoried the remaining parking lots and identified capital maintenance and aesthetic issues at the Abbott Avenue and 94th Street parking lots; and

WHEREAS, the Town Commission adopted Resolution No. 11-2061 (incorporated by reference) authorizing the Town Administration to enter into an agreement with Lukes' Landscaping Inc. DBA Lukes-Sawgrass Landscape (hereinafter "Lukes") by piggybacking off of a competitively bid contract awarded by the City of Aventura to provide landscape maintenance services for the same price per unit of service; and

WHEREAS, the proposed renovations and improvements for both parking lots include removal and installation of landscaping and installation of irrigation, the Abbott Avenue parking lot proposal (Exhibit "A") is for \$63,585.50, and the 94th Street parking lot proposal (Exhibit "B") is for \$38,051.70 to be paid from the Municipal Parking Fund; and

WHEREAS, it is in the best interest of the Town to authorize an expenditure for the work described in the Proposals (see Exhibit “A” and Exhibit “B”) for the landscaping of the Abbott Avenue and 94th Street parking lots.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above-stated recitals are hereby adopted and confirmed.

Section 2. Approval and Authorization. The Town Commission approves and authorizes the Town Manager and/or his designee to take all actions necessary to implement the terms and conditions of the Proposals with Lukes not to exceed \$63,585.50 for the Abbott Avenue parking lot and not to exceed \$38,051.70 for the 94th Street parking lot to be paid from the Municipal Parking Fund.

Section 3. Effective Date. This Resolution shall be effective immediately from adoption hereof.

PASSED and ADOPTED on this ____ day of May, 2013

Motion by Commissioner _____, second by Commissioner _____.

FINAL VOTE ON ADOPTION

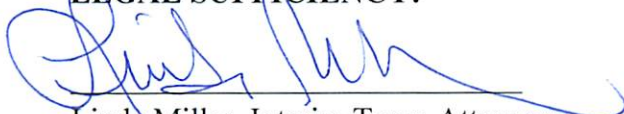
Commissioner Joseph Graubart
Commissioner Michelle Kligman
Commissioner Marta Olchyk
Vice Mayor Michael Karukin
Mayor Daniel Dietch

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, CMC
Town Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**



Linda Miller, Interim Town Attorney

EXHIBIT "A"

PROPOSAL



2711 SW 36th Street, Dania Beach, FL 33312
PHONE: 954-431-1111 FAX: 954-433-1111

DATE	PROPOSAL #
5/2/2013	0513034

Town of Surfside
9293 Harding Avenue
Surfside, Florida 33154
ATTENTION: Randy Stokes

Ship To

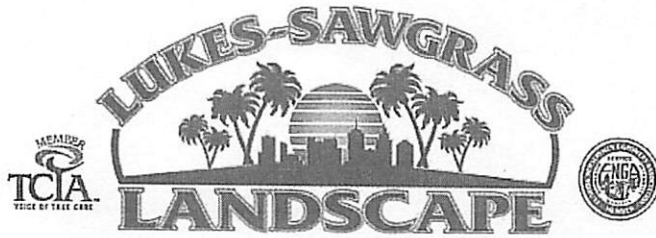
EMAIL	DIVISION	REP	APPROVED BY:	PROJECT		P.O. NUMBER
lyn@luke-sawgrass.biz	2200 - Lands...	MF		0513034LM/Abbotpklot		
DESCRIPTION				QTY	COST	TOTAL
LANDSCAPING OF PARKING LOT ON ABBOTT -						
NORTHEAST CORNER OF PARKING LOT:						
Remove shrubs, install -						
Peanut Plant (1 gal)				26	4.95	128.70
Clusia guttifera "small leaf clusia" (7 gal) - as per City of Aventura bid # 10-07-12-2 and Resolution # 2010-46				8	35.00	280.00
Ficus microcarpa "Green Island Ficus" (3 gal) - as per City of Aventura bid # 10-07-12-2 and Resolution # 2010-46				22	11.00	242.00
Palm Beach cap rocks (3 x 4)				2	100.00	200.00
Aechmea "Hacienda" (3 gal)				3	55.00	165.00
Dianella Tasmanica "flax lily" (3 gal)				6	10.50	63.00
NORTHWEST CORNER OF PARKING LOT:						
Remove shrubs, install -						
Peanut Plant (1 gal)				52	4.95	257.40
Palm Beach cap rocks (3 x 4)				4	100.00	400.00
Ficus microcarpa "Green Island Ficus" (3 gal) - as per City of Aventura bid # 10-07-12-2 and Resolution # 2010-46				68	11.00	748.00
Dianella Tasmanica "flax lily" (3 gal)				47	10.50	493.50
Aechmea "Hacienda" (3 gal)				5	55.00	275.00
Clusia guttifera "small leaf clusia" (7 gal) as per bid # 10-07-12-2				16	35.00	560.00
NORTH CENTER MEDIAN - NORTH SIDE:						
Remove shrubs, install -						
Peanut Plant (1 gal)				18	4.95	89.10
Palm Beach cap rocks (3 x 4)				1	100.00	100.00
Dianella Tasmanica "flax lily" (3 gal)				20	10.50	210.00
Ficus microcarpa "Green Island Ficus" (3 gal) - as per City of Aventura bid # 10-07-12-2 and Resolution # 2010-46				23	11.00	253.00
Wodyetia bifurcata "Foxtail palm" (8' g.w.)				1	800.00	800.00

IF APPROVED, PLEASE SIGN: _____

Void after 90 days

THANK YOU!
www.lukes-sawgrass.biz

TOTAL



PROPOSAL

DATE	PROPOSAL #
5/2/2013	0513034

2711 SW 36th Street, Dania Beach, FL 33312
PHONE: 954-431-1111 FAX: 954-433-1111

Town of Surfside
9293 Harding Avenue
Surfside, Florida 33154
ATTENTION: Randy Stokes

Ship To

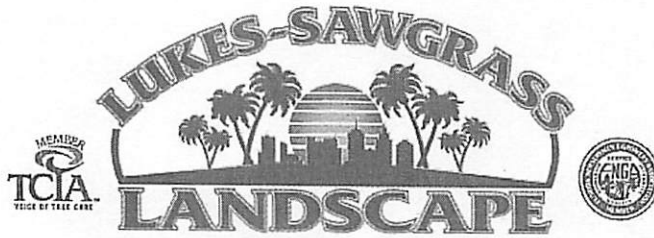
EMAIL	DIVISION	REP	APPROVED BY:	PROJECT	P.O. NUMBER	
lyn@lukes-sawgrass.biz	2200 - Lands...	MF		0513034LM/Abbotpklot		
DESCRIPTION				QTY	COST	TOTAL
Aechmea "Hacienda" (3 gal)				2	55.00	110.00
NORTHERN CENTER MEDIAN:						
Bursera Simaruba "gumbo limbo" (14' - 16' o.a.)				6	395.00	2,370.00
Adonidia merrillii "Christmas palm" (10'-12' c.t., double)				3	250.00	750.00
Ficus microcarpa "Green Island Ficus" (3 gal) - as per City of Aventura bid # 10-07-12-2 and Resolution # 2010-46				72	11.00	792.00
NORTHERN CENTER MEDIAN - SOUTH SIDE:						
Remove shrubs, install -						
Peanut Plant (1 gal)				16	4.95	79.20
Aechmea "Hacienda" (3 gal)				2	55.00	110.00
Wodyetia bifurcata "Foxtail palm" (8' g.w.)				1	800.00	800.00
Ficus microcarpa "Green Island Ficus" (3 gal) - as per City of Aventura bid # 10-07-12-2 and Resolution # 2010-46				18	11.00	198.00
Palm Beach cap rocks (3 x 4)				1	100.00	100.00
Dianella Tasmanica "flax lily" (3 gal)				11	10.50	115.50
CENTRAL CENTER MEDIAN - NORTH SIDE:						
Remove shrubs, install						
Peanut Plant (1 gal)				16	4.95	79.20
Aechmea "Hacienda" (3 gal)				2	55.00	110.00
Wodyetia bifurcata "Foxtail palm" (8' g.w.)				1	800.00	800.00
Ficus microcarpa "Green Island Ficus" (3 gal) - as per City of Aventura bid # 10-07-12-2 and Resolution # 2010-46				18	11.00	198.00
Palm Beach cap rocks (3 x 4)				1	100.00	100.00
Dianella Tasmanica "flax lily" (3 gal)				11	10.50	115.50
CENTRAL CENTER MEDIAN - SOUTH SIDE:						
Remove shrubs, install -						
Peanut Plant (1 gal)				16	4.95	79.20

IF APPROVED, PLEASE SIGN: _____

Void after 90 days

THANK YOU!
www.lukes-sawgrass.biz

TOTAL



PROPOSAL

DATE	PROPOSAL #
5/2/2013	0513034

2711 SW 36th Street, Dania Beach, FL 33312
PHONE: 954-431-1111 FAX: 954-433-1111

Town of Surfside
9293 Harding Avenue
Surfside, Florida 33154
ATTENTION: Randy Stokes

Ship To

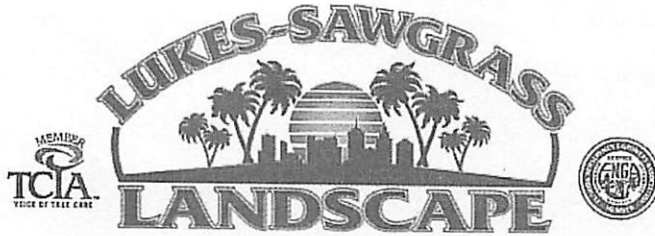
EMAIL	DIVISION	REP	APPROVED BY:	PROJECT		P.O. NUMBER
lyn@luke-sawgrass.biz	2200 - Lands...	MF		0513034LM/Abbotpklot		
DESCRIPTION				QTY	COST	TOTAL
Aechmea "Hacienda" (3 gal)				2	55.00	110.00
Wodyetia bifurcata "Foxtail palm" (8' g.w.)				1	800.00	800.00
Ficus microcarpa "Green Island Ficus" (3 gal) - as per City of Aventura bid # 10-07-12-2 and Resolution # 2010-46				18	11.00	198.00
Palm Beach cap rocks (3 x 4)				1	100.00	100.00
Dianella Tasmanica "flax lily" (3 gal)				11	10.50	115.50
CENTRAL CENTER MEDIAN:						
Bursera Simaruba "gumbo limbo" (14' - 16' o.a.)				9	395.00	3,555.00
Ficus microcarpa "Green Island Ficus" (3 gal) - as per City of Aventura bid # 10-07-12-2 and Resolution # 2010-46				88	11.00	968.00
Adonidia merrillii "Christmas palm" (10'-12' c.t., double)				2	250.00	500.00
SOUTHERN CENTER MEDIAN - NORTH SIDE:						
Remove shrubs, install -						
Peanut Plant (1 gal)				16	4.95	79.20
Dianella Tasmanica "flax lily" (3 gal)				11	10.50	115.50
Aechmea "Hacienda" (3 gal)				2	55.00	110.00
Wodyetia bifurcata "Foxtail palm" (8' g.w.)				1	800.00	800.00
Ficus microcarpa "Green Island Ficus" (3 gal) - as per City of Aventura bid # 10-07-12-2 and Resolution # 2010-46				18	11.00	198.00
Palm Beach cap rocks (3 x 4)				1	100.00	100.00
SOUTHERN CENTER MEDIAN:						
Bursera Simaruba "gumbo limbo" (14' - 16' o.a.)				9	395.00	3,555.00
Adonidia merrillii "Christmas palm" (10'-12' c.t., double)				3	250.00	750.00
Ficus microcarpa "Green Island Ficus" (3 gal) - as per City of Aventura bid # 10-07-12-2 and Resolution # 2010-46				96	11.00	1,056.00
SOUTHERN CENTER MEDIAN - SOUTHSIDE:						
Remove shrubs, install -						

IF APPROVED, PLEASE SIGN: _____

Void after 90 days

THANK YOU!
www.lukes-sawgrass.biz

TOTAL



PROPOSAL

DATE	PROPOSAL #
5/2/2013	0513034

2711 SW 36th Street, Dania Beach, FL 33312
PHONE: 954-431-1111 FAX: 954-433-1111

Town of Surfside
9293 Harding Avenue
Surfside, Florida 33154
ATTENTION: Randy Stokes

Ship To

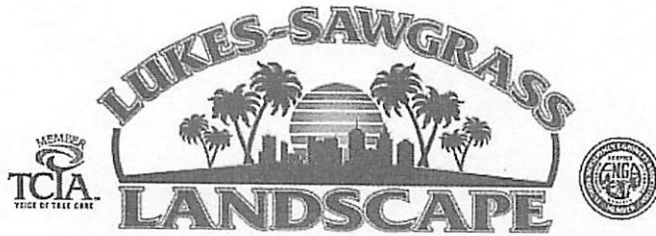
EMAIL	DIVISION	REP	APPROVED BY:	PROJECT	P.O. NUMBER	
lyn@luke-sawgrass.biz	2200 - Lands...	MF		0513034LM/Abbotpklot		
DESCRIPTION				QTY	COST	TOTAL
Dianella Tasmanica "flax lily" (3 gal)				11	10.50	115.50
Palm Beach cap rocks (3 x 4)				3	100.00	300.00
Wodyetia bifurcata "Foxtail palm" (8' g.w.)				1	800.00	800.00
Ficus microcarpa "Green Island Ficus" (3 gal) - as per City of Aventura bid # 10-07-12-2 and Resolution # 2010-46				18	11.00	198.00
Peanut Plant (1 gal)				48	4.95	237.60
Aechmea "Hacienda" (3 gal)				4	55.00	220.00
SOUTHWEST CORNER OF PARKING LOT:						
Remove shrubs, install -						
Peanut Plant (1 gal)				52	4.95	257.40
Palm Beach cap rocks (3 x 4)				4	100.00	400.00
Aechmea "Hacienda" (3 gal)				5	55.00	275.00
Clusia guttifera "small leaf clusia" (7 gal) - as per City of Aventura bid # 10-07-12-2 and Resolution # 2010-46				16	35.00	560.00
Dianella Tasmanica "flax lily" (3 gal)				47	10.50	493.50
Ficus microcarpa "Green Island Ficus" (3 gal) - as per City of Aventura bid # 10-07-12-2 and Resolution # 2010-46				68	11.00	748.00
WEST SIDE OF PARKING LOT:						
Remove shrubs, install -					0.00	0.00
Conocarpus erectus 'Sericeus', "Silver Buttonwood" (3 gal) - as per City of Aventura bid # 10-07-12-2 and Resolution # 2010-46				315	9.00	2,835.00
Thrinax morrisii "Key thatch palm" (8' o.a.)				32	350.00	11,200.00
ENTRY DRIVES:						
Remove palms and stumps, install -					0.00	0.00
Veitchia montgomeriana "Montgomery palm (14' - 16, g.w.', single)				4	395.00	1,580.00
Ficus microcarpa "Green Island Ficus" (3 gal) - as per City of Aventura bid # 10-07-12-2 and Resolution # 2010-46				46	11.00	506.00

IF APPROVED, PLEASE SIGN: _____

Void after 90 days

THANK YOU!
www.lukes-sawgrass.biz

TOTAL



PROPOSAL

DATE	PROPOSAL #
5/2/2013	0513034

2711 SW 36th Street, Dania Beach, FL 33312
PHONE: 954-431-1111 FAX: 954-433-1111

Town of Surfside
9293 Harding Avenue
Surfside, Florida 33154
ATTENTION: Randy Stokes

Ship To

EMAIL	DIVISION	REP	APPROVED BY:	PROJECT	P.O. NUMBER	
lyn@luke-sawgrass.biz	2200 - Lands...	MF		0513034LM/Abbotpklot		
DESCRIPTION				QTY	COST	TOTAL
EAST SIDE PARKING LOT:						
Adonidia merrillii "Christmas palm" (10'-12' c.t., double)				16	250.00	4,000.00
Ficus microcarpa "Green Island Ficus" (3 gal) - as per City of Aventura bid # 10-07-12-2 and Resolution # 2010-46				328	11.00	3,608.00
MISCELLANEOUS:						
Yards of topsoil - as per City of Aventura bid # 10-07-12-2 and Resolution # 2010-46				12	35.00	420.00
Cubic yards of sand - as per City of Aventura bid # 10-07-12-2 and Resolution # 2010-46				6	50.00	300.00
IRRIGATION:						
Installation of irrigation system				1	9,250.00	9,250.00

IF APPROVED, PLEASE SIGN: _____

Void after 90 days

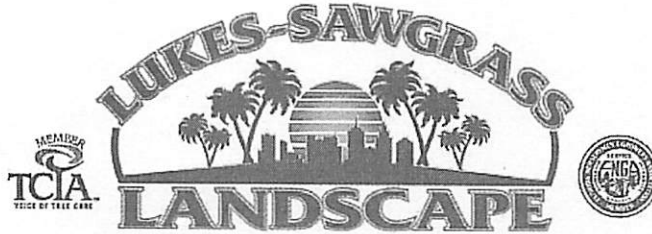
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Page 3
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TOTAL

\$63,585.50

EXHIBIT "B"

PROPOSAL



2711 SW 36th Street, Dania Beach, FL 33312
 PHONE: 954-431-1111 FAX: 954-433-1111

DATE	PROPOSAL #
5/2/2013	0513036

Town of Surfside
 9293 Harding Avenue
 Surfside, Florida 33154
 ATTENTION: Randy Stokes

Ship To

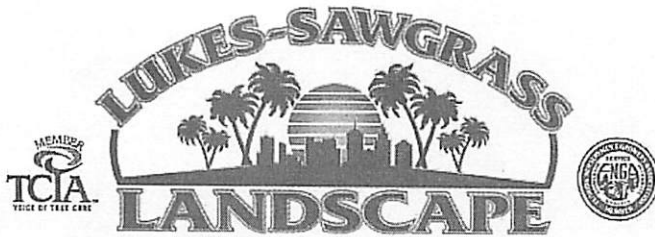
EMAIL	DIVISION	REP	APPROVED BY:	PROJECT	P.O. NUMBER	
lyn@luke-sawgrass.biz	2200 - Lands...	MF		0513036LM/hardingpklot		
DESCRIPTION				QTY	COST	TOTAL
HARDING AVENUE AND 94TH STREET PARKING LOT:						
NORTHWEST CORNER OF PARKING LOT:						
Remove shrubs and palms, install -					0.00	0.00
Peanut Plant (1 gal)				18	4.95	89.10
Aechmea "Hacienda" (3 gal)				4	55.00	220.00
Palm Beach cap rocks (3 x 4)				3	100.00	300.00
Ficus microcarpa "Green Island Ficus" (3 gal) - as per City of Aventura bid # 10-07-12-2 and Resolution # 2010-46				68	11.00	748.00
Clusia guttifer "small leaf clusia" (7 gal) - as per City of Aventura bid # 10-07-12-2 and Resolution # 2010-46				22	35.00	770.00
Dianella Tasmanica "flax lily" (3 gal)				15	10.50	157.50
NORTH SIDE OF PARKING LOT:						
Remove shrubs and palms, install -					0.00	0.00
Clusia guttifer "small leaf clusia" (7 gal) - as per City of Aventura bid # 10-07-12-2 and Resolution # 2010-46				14	35.00	490.00
Palm Beach cap rocks (3 x 4)				3	100.00	300.00
Ficus microcarpa "Green Island Ficus" (3 gal) - as per City of Aventura bid # 10-07-12-2 and Resolution # 2010-46				32	11.00	352.00
Aechmea "Hacienda" (3 gal)				4	55.00	220.00
Dianella Tasmanica "flax lily" (3 gal)				15	10.50	157.50
Peanut Plant (1 gal)				56	4.95	277.20
Thrinax radiata Key thatch palm" (8', double)				1	495.00	495.00
NORTHEAST CORNER OF PARKING LOT:						
Remove shrubs and palms, install -					0.00	0.00
Palm Beach cap rocks (3 x 4)				1	100.00	100.00
Ficus microcarpa "Green Island Ficus" (3 gal) - as per City of Aventura bid # 10-07-12-2 and Resolution # 2010-46				32	11.00	352.00
Aechmea "Hacienda" (3 gal)				2	55.00	110.00

IF APPROVED, PLEASE SIGN: _____

Void after 90 days

THANK YOU!
 www.lukes-sawgrass.biz

TOTAL



PROPOSAL

DATE	PROPOSAL #
5/2/2013	0513036

2711 SW 36th Street, Dania Beach, FL 33312
PHONE: 954-431-1111 FAX: 954-433-1111

Town of Surfside
9293 Harding Avenue
Surfside, Florida 33154
ATTENTION: Randy Stokes

Ship To

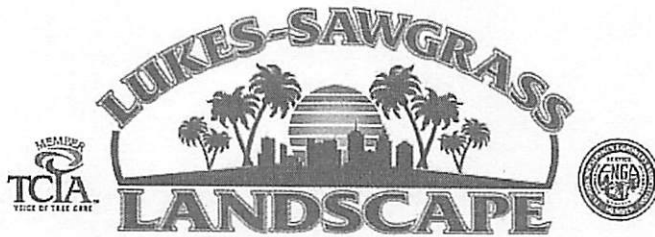
EMAIL	DIVISION	REP	APPROVED BY:	PROJECT	P.O. NUMBER	
lyn@lukes-sawgrass.biz	2200 - Lands...	MF		0513036LM/hardingpklot		
DESCRIPTION				QTY	COST	TOTAL
Clusia guttifer "small leaf clusia" (7 gal) - as per City of Aventura bid # 10-07-12-2 and Resolution # 2010-46				8	35.00	280.00
Peanut Plant (1 gal)				26	4.95	128.70
SOUTHWEST CORNER OF PARKING LOT:						
Remove shrubs, install -					0.00	0.00
Palm Beach cap rocks (3 x 4)				1	100.00	100.00
Ficus microcarpa "Green Island Ficus" (3 gal) - as per City of Aventura bid # 10-07-12-2 and Resolution # 2010-46				32	11.00	352.00
Aechmea "Hacienda" (3 gal)				2	55.00	110.00
Clusia guttifer "small leaf clusia" (7 gal) - as per City of Aventura bid # 10-07-12-2 and Resolution # 2010-46				8	35.00	280.00
Peanut Plant (1 gal)				26	4.95	128.70
EAST SIDE OF PARKING LOT:						
Christmas Palm (12' o.a., triple)				21	325.00	6,825.00
Ficus microcarpa "Green Island Ficus" (3 gal) - as per City of Aventura bid # 10-07-12-2 and Resolution # 2010-46				178	11.00	1,958.00
CENTER MEDIAN:						
Bursera Simaruba "gumbo limbo" (12' - 14' o.a.)				12	245.00	2,940.00
Conocarpus e. sericeus "silver buttonwood" (12' - 14' o.a.)				8	425.00	3,400.00
Ficus microcarpa "Green Island Ficus" (3 gal) - as per City of Aventura bid # 10-07-12-2 and Resolution # 2010-46				164	11.00	1,804.00
WEST PLANTER ALONG SIDEWALK WITHIN THE COCOPLUM:						
Thrinax radiata "Thatch palm" (10', double)				15	525.00	7,875.00
(FILL-IN) - Chrysocalanus icaco "red tip Cocoplum (3 gal) - as per City of Aventura bid # 10-07-12-2 and Resolution #2010-46				68	9.00	612.00
MISCELLANEOUS AND LABOR (to remove shrubs):						

IF APPROVED, PLEASE SIGN: _____

Void after 90 days

THANK YOU!
www.lukes-sawgrass.biz

TOTAL



PROPOSAL

DATE	PROPOSAL #
5/2/2013	0513036

2711 SW 36th Street, Dania Beach, FL 33312
 PHONE: 954-431-1111 FAX: 954-433-1111

Town of Surfside
 9293 Harding Avenue
 Surfside, Florida 33154
 ATTENTION: Randy Stokes

Ship To

EMAIL	DIVISION	REP	APPROVED BY:	PROJECT		P.O. NUMBER
lyn@luke-sawgrass.biz	2200 - Lands...	MF		0513036LM/hardingpklot		
DESCRIPTION				QTY	COST	TOTAL
Yards of topsoil - as per City of Aventura bid # 10-07-12-2 and Resolution # 2010-46 IRRIGATION: Installation of irrigation system				12	35.00	420.00
				1	5,700.00	5,700.00

IF APPROVED, PLEASE SIGN: _____

Void after 90 days

THANK YOU!
 Page 3
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TOTAL

\$38,051.70



**Town of Surfside
Commission Communication**

Agenda Item# 5D

Agenda Date: May 15, 2013

Subject: FPL Underground Cost Estimate

Objective: Resolution to Authorize Expenditure of \$10,000.00 for Cost Estimate

Background: The Town Commission authorized Florida Power & Light (FPL) to complete a binding cost estimate by Resolution No. 11-2028 on June 14, 2011. This cost estimate expired on April 26, 2013. A revised binding cost estimate for undergrounding the electric utility by FPL will cost \$10,000.00 to review and analyze the original cost estimate.

Analysis: It is recommended the Resolution be approved in order to receive an updated binding cost estimate and an additional six (6) months from FPL for the Town to make a final decision on the undergrounding project.

Budget Impact: The Resolution provides authorization to amend the FY 2012/13 budget and appropriate \$10,000.00 from the General Fund to the Capital Projects Fund for the FPL Cost Estimate.


Michael P. Crotty
Town Manager


Donald G. Nelson
Finance Director

RESOLUTION NO. _____

**A RESOLUTION OF THE TOWN COMMISSION OF
THE TOWN OF SURFSIDE, FLORIDA,
AUTHORIZING THE APPROPRIATION AND
EXPENDITURE OF \$10,000.00 FROM THE
CAPITAL PROJECTS FUND ACCOUNT NO. 301-
4400-541-3125 FOR FY 2012/2013 TO FLORIDA
POWER & LIGHT FOR A REVISED
UNDERGROUNDING BINDING COST ESTIMATE;
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Town Commission authorized Florida Power & Light (hereinafter "FP&L") to complete a binding cost estimate by adopting Resolution No. 11-2028 on June 14, 2011; and

WHEREAS, the binding cost estimate was valid until April 26, 2013 and as a result of the Town Commission desiring more time to make a decision regarding the undergrounding of utilities, FP&L is requesting \$10,000.00 to review and analyze the original binding cost estimate; and

WHEREAS, FP&L has agreed to apply the \$10,000.00 towards the cost of the undergrounding project if the Town elects to proceed with the project; and

WHEREAS, with the payment of the \$10,000.00 FP&L will grant the Town six (6) months from April 26, 2013 to make a determination about whether to proceed with the project with the amended binding cost estimate; and

WHEREAS, it is in the best interests of the Town to authorize the expenditure of \$10,000.00 to FP&L for analysis and review of the binding cost estimate as described in the attached (see Exhibit "A").

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA,

Section 1. Recitals. That the above and foregoing recitals are true and correct, and are incorporated herein by reference.

Section 2. Authorization and Approval. The Town Manager is hereby authorized to expend Capital Projects Funds to FP&L for a binding cost estimate analysis.

Section 3. **Amendment Authorization.** The Town Manager is hereby authorized to amend the FY 2012/2013 budget and appropriate \$10,000.00 from the General Fund to the Capital Projects Funds for purposes set forth herein.

Section 4. **Effective Date.** This Resolution shall become effective immediately upon its adoption.

PASSED and **ADOPTED** on this ____ day of _____ 2013.

Motion by Commissioner _____, second by Commissioner _____.

FINAL VOTE ON ADOPTION

Commissioner Joseph Graubart	_____
Commissioner Michelle Kligman	_____
Commissioner Marta Olchyk	_____
Commissioner Michael Karukin	_____
Mayor Daniel Dietch	_____

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, Town Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE TOWN OF SURFSIDE ONLY:**



Linda Miller, Interim Town Attorney



John T. Butler
 Assistant General Counsel-Regulatory
 Florida Power & Light Company
 700 Universe Boulevard
 Juno Beach, FL 33408-0420
 (561) 304-5639
 (561) 691-7135 (Facsimile)
 John.Butler@fpl.com

April 26, 2013

VIA ELECTRONIC DELIVERY

Mr. Roger M. Carlton
 Town Manager
 Town of Surfside
 Municipal Building
 9293 Harding Avenue
 Surfside, Florida 33154

Re: Town of Surfside's proposed recovery of underground conversion costs under Florida Power & Light Company's ("FPL's") Municipal Government Recovery of Undergrounding Fees ("MGRUF") tariff

Dear Roger:

Thank you for visiting with our team in Juno Beach to express the Town of Surfside's interest in modifications to the MGRUF tariff. We appreciate your patience in this matter as we reviewed your request, the customer impact, the system changes that would need to be implemented and the associated expenses for those billing changes, then secured our management's direction on how best to proceed to accommodate your interest, while not adversely impacting FPL's 4.6 million other customers.

As you know, the Town's proposed changes to the tariff seek to clarify that the Town's lender(s) would have the right to encumber Governmental Undergrounding Fees ("Fees") that FPL would collect on behalf of the Town prior to the Fees being paid over to the Town in the Actual Annual Payment. I am enclosing proposed tariff amendments that would address your request as well as other minor clarifications as requested by the Town. Please confirm that the enclosed amendments are suitable to accommodate the Town's interests.

Given that FPL must seek approval by the Florida Public Service Commission ("FPSC") to amend the tariff and will make a considerable commitment of time and resources to that end, including a substantial capital investment to incorporate required modifications to our billing system, we would prefer and have a greater level of comfort knowing that the Town Council formally commits, in a resolution or ordinance, to proceed with its proposed underground

conversion project and to funding that project under the MGRUF tariff if the enclosed tariff amendments are approved. Additionally, the Town's formal commitment would be useful support for our petition to the FPSC.

Should the Town wish to pursue these changes to the tariff, we will work with you and your staff to file the necessary request to the FPSC. Please know, however, our evaluation of the tariff did recognize some limitations of the mechanism that we feel compelled to share with you:

- FPL does not have authority to disconnect customers for non-payment of the Fees that would be billed under the MGRUF. FPL is not in a position to compel payment of the Fees.
- You have indicated that the Town may seek to impose a lien on the property of customers who do not pay their Fees. Assuming that the threat of such liens would be effective in compelling payment of the Fees where the property owner is also the FPL electric customer, it may not work well for rental properties. Where the FPL customer is a tenant who would not be directly affected by the imposition of a lien against the property that he or she rents, it is not clear what leverage the Town would have to compel payment of Fees billed to that customer. According to FPL's records, approximately 46% of the residential electric customers within the Town limits are renters.
- The Fees collected by FPL on behalf of the Town will represent an increase of about 8% over the electric revenues that FPL is currently collecting in aggregate from all customers within the Town. While there would be a few exceptions because of the caps in the MGRUF tariff, the great majority of residential customers and all commercial customers in the Town would see an 8% increase in their individual bills. This is a substantial increase, approximately double the base rate increase that went into effect on January 2, 2013 as a result of FPL's recent rate case settlement.
- FPL expects that bill increases due to the Fee will likely result in a significant level of customer interest, generating a substantial number of customer inquiries from residents. Our customer service personnel (and FPSC staff) will have to explain that this charge has been imposed at the request of the Town Council. We will provide customers with a contact name and number at the Town for any further explanation.

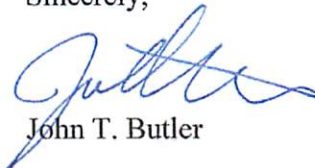
Finally, let me address a different but related topic. As you know, the binding cost estimate ("BCE") for the Town's undergrounding project was set to expire on March 26, but FPL agreed to extend it 30 days, until April 26, 2013 (today). While we are not in a position to commit to a longer extension of the existing BCE, FPL is willing to refresh it with updated information on material and labor costs, in lieu of preparing a new BCE. This would result in substantial cost savings for the Town, because the charge for refreshing the existing BCE would be only \$10,000 versus a charge of approximately \$60,000 for preparing an entirely new BCE (the refreshed BCE would cover each of three undergrounding project phases, in each of the two alternative scopes of work that the Town has requested). Please note that this offer to refresh the BCE is predicated on FPL's understanding that there are no physical changes to the scope of

work under either of the Town's requested alternatives. If there were any physical changes to the scope of work, a new BCE would be required.

If the Town chooses to refresh the BCE, it would then remain open for 180 days from April 26. This should be more than adequate time to resolve the issue of tariff amendments and allow the Town to enter into an Underground Facilities Conversion Agreement for the undergrounding project. Please let me know as soon as possible whether the Town wants to refresh the BCE.

Thank you again for your patience and interest in pursuing the MGRUF tariff amendments. Be assured, FPL understands and appreciates the level of commitment and dedication that you personally and your team have devoted to this endeavor. If the Town decides that it wants FPL to proceed with the tariff amendments, we hope that the Council sees the value in confirming that commitment formally. Once we hear from you, FPL will file a petition to amend the tariff within ten days of receipt. Of course, if you or any of the Town's representatives have any questions or would like to discuss the concerns set forth above, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "John T. Butler", is written over the printed name.

John T. Butler

(Continued from Sheet No. 6.601)

UNDERGROUND CAPITAL COST RECOVERY CONTRACT

The local government shall enter into an Underground Capital Cost Recovery Contract with the Company, the form of which is satisfactory to the Company and has been approved by the FPSC or its staff, establishing the specific terms and conditions for underground cost recovery consistent with the provisions of this tariff. Terms to be included in the Underground Capital Cost Recovery Contract shall include, but are not limited to, the following:

- 1) [The local government] represents and warrants that it has full legal right and authority: (a) to enter into this Underground Capital Cost Recovery Contract; (b) to take all actions and measures necessary to fulfill [the local government's] obligations under the MGRUF tariff and this Underground Capital Cost Recovery Contract; (c) to establish Underground Assessment Areas; and (d) to authorize the Company to collect a Governmental Undergrounding Fee from the Company's customers pursuant to the MGRUF tariff and this Underground Capital Cost Recovery Contract. [The local government] further represents and warrants that it has complied with all applicable notice and other procedural requirements pertaining to the assessment or collection of a charge to residents for the undergrounding of electric service.
- 2) [The local government] acknowledges and agrees that the Governmental Undergrounding Fee computed and collected by Company in accordance with the MGRUF tariff is assessed solely by virtue of duly exercised authority of [the local government] and not pursuant to authority of the Company or the FPSC and that, in collecting the Governmental Undergrounding Fee for [the local government], the Company is acting on behalf of [the local government] and not in its own right.
- 3) [The local government] acknowledges and agrees that all payments made by the Company's electric customers within the UAA shall first be applied to satisfy the customers' payment obligations to the Company, including payments for electric service, and for any service charges and penalties for late payments, and that only the amount, if any, by which a payment exceeds a customer's obligation to the Company shall be available for application to the Governmental Undergrounding Fee and remittance to [the local government]. ~~The Company shall remit all Governmental Undergrounding Fees actually collected on behalf of [the local government].~~ [The local government] further acknowledges and agrees that, notwithstanding anything in this Underground Capital Cost Recovery Contract or the MGRUF tariff to the contrary, the Company shall have no obligation to remit to [the local government] any amounts in excess of Governmental Undergrounding Fees actually collected and that any shortfall between the Target Annual Payment and the Actual Annual Payment amount remitted to [the local government] pursuant to this Underground Capital Cost Recovery Contract shall be borne solely by [the local government].
- 4) The Company and [the local government] agree that the Company shall not assess any late payment fee on the Governmental Undergrounding Fee.
- 5) [The local government] agrees, to the extent permitted by applicable law, to indemnify, pay, defend, and hold harmless the Company and its officers, directors, employees, agents, contractors and affiliates (collectively referred to hereinafter as the "FPL Entities") from and against any and all claims, demands, losses, costs, or expenses for loss, damage, or injury to persons or property of the FPL Entities or third parties caused by, arising out of, or resulting from: the application of the MGRUF or this Capital Cost Recovery Contract; the assessment or collection of the Governmental Undergrounding Fee, a breach by [the local government] of its covenants, representations, warranties or obligations hereunder; the negligence or willful misconduct of [the local government] or its contractors, agents, servants or employees; or any other event or act that is the result of, or proximately caused by the local government or its contractors, agents, servants or employees.
- 6) [The local government] acknowledges and agrees that the Company may not and shall not disconnect electric service of customers for failure to pay the Governmental Undergrounding Fee.
- 7) The Company and [the local government] agree that the term and expiration date of this Underground Capital Cost Recovery Contract shall coincide with the number of years specified in the Target Annual Payment section of this tariff.
- 8) ~~(a) [The local government] shall not (i) permit any lien, encumbrance or security interest to attach to the Company's revenues, (ii) the "Revenue Stream", (iii) permit any of the Revenue Stream to be levied upon under legal process, (iv) attempt to sell, transfer, pledge or assign any of the Revenue Stream, or (v) permit anything to be done that may impair the value to the Company of the Revenue Stream. [The local government] acknowledges that it has no rights to the Revenue Stream.~~
~~(b) The Company agrees that [the local government] may pledge, lien, encumber or attach a security interest to the Actual Annual Payment for the payment of debt issued to finance the underground conversion of distribution facilities in the UAA, so long as such debt is issued in accordance with Florida law and [the local government] otherwise has such authority to pledge the funds collected under the MGRUF tariff~~
~~(c) The resolution or ordinance authorizing such debt which pledges the funds collected under the MGRUF tariff shall state that the debt is not a debt or obligation of the Company and the Company is not acting as a guarantor of such debt.~~

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The Company and [the local government] agree that the Company may suspend on an indefinite basis the application of the Governmental Undergrounding Fee to those customers where four consecutive months of non-payment of said Governmental Undergrounding Fee is experienced. The Company shall provide [the local government] on an annual basis a list of the customers where suspension of the Governmental Undergrounding Fee has taken place as a result of non-payment. [The Company and [the local government] agree that the Company shall not assess the Governmental Undergrounding Fee until the conversion of distribution facilities from overhead to underground service upon which the Target Annual Payment is based is complete]

Deleted: August 19, 2003

Issued by: S. E. Romig, Director, Rates and Tariffs

Effective: 1/1/2011

(Continued from Sheet No. 6.602)

- 9) The Company and [the local government] agree that the Company may suspend on an indefinite basis the application of the Governmental Undergrounding Fee to those customers where four consecutive months of non-payment of said Governmental Undergrounding Fee is experienced. The Company shall provide [the local government] on an annual basis a list of the customers where suspension of the Governmental Undergrounding Fee has taken place as a result of non-payment and the amounts that have not been paid.
- 10) The Company and [the local government] agree that the Company shall not assess the Governmental Undergrounding Fee until the conversion of distribution facilities from overhead to underground service upon which the Target Annual Payment is based is complete.
- 11) [The local government] may request an accounting of the Governmental Undergrounding Fees collected from time to time.

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Issued by: S. E. Romig, Director, Rates and Tariffs
Effective: [TBD]



Town of Surfside Commission Communication

Agenda Item # 5E

Agenda Date: May 15, 2013

Subject: 4th of July Fireworks

Objective: Celebrate the Fourth of July holiday with a day full of activities concluding with a fireworks display.

Background: The Town of Surfside has previously held celebrations to commemorate the 4th of July. The Town of Surfside has an established working relationship with Zambelli Fireworks. Zambelli Fireworks is highly reputable fireworks company, known nationwide. An annual contract is done by the Town with Zambelli to execute the firework display each year. A resolution is requested for approval of the cost of the fireworks display.

Analysis: Hosting a day of activities at the Community Center will continue to showcase the facility along with a capstone event by a national company which carries the Zambelli family name and understands the importance of providing top-notch quality service. In addition to the fireworks display, other activities planned for the 4th of July celebration include: Live Band, Dance Floor, Swim Races, DJ/Emcee, Stilt Walker, Airbrush Temporary Tattoos, Fun Click Photo booth, Giveaways, Children Arts & Crafts, and Raffles.

Budget Impact: The event/activities during the day are currently budgeted through the Parks and Recreation Department. Total budget impact for the fireworks display is \$12,000. The Tourist Board provides 1/3 of the cost (\$4,000) of the \$12,000 thus reducing the Parks and Recreation Department's cost to \$8,000.

Recommendation: It is recommended that the Town Commission approve the Resolution authorizing the contract with Zambelli Fireworks for the Town's 4th of July celebration.

Department Head

Town Manager

RESOLUTION NO. 13-____

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE EXPENDITURE FOR ZAMBELLI FIREWORKS MANUFACTURING CO. FOR EXHIBITION AND DISPLAY OF FIREWORKS; APPROVING THE EXPENDITURE OF \$4000.00 FROM THE RESORT TAX FUND, ACCOUNT NO. 102-8000-552-48-10 AND \$8000.00 FROM THE GENERAL FUND, PARKS & RECREATION DEPARTMENT, ACCOUNT NO. 001-6000-572-4810; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The Town of Surfside is celebrating the 4th of July holiday at the Surfside Community Center; and

WHEREAS, Zambelli Fireworks Manufacturing Co. (hereinafter "Zambelli") specializes in designing and performing exhibitions and displays of fireworks and has previously done work for the Town of Surfside providing the same services as agreed upon in Exhibit "A"; and

WHEREAS, the project will be funded with \$4,000 from the Resort Tax Fund, Account No. 102-8000-552-48-10 and \$8,000.00 from the General Fund, Parks & Recreation Department, Account No. 001-6000-572-4810; and

WHEREAS, the Town wishes to enter into the Agreement with Zambelli to ensure preparation in time for the 4th of July celebration at the Community Center. The total cost of the agreement is \$12,000. (as reflected in Exhibit "A").

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above-stated recitals are hereby adopted and confirmed.

Section 2. Approval of Agreement. The Agreement (attached as Exhibit "A") between Zambelli and the Town of Surfside to provide fireworks display for the Town's 4th of July holiday celebration at the Surfside Community Center, together with such non-material changes as may be acceptable to the Town Manager and approved as to form and legality by the Town Attorney, is approved.

Section 3. Authorization of Town Officials. The Town Manager and/or his designee and the Town Attorney are authorized to take all actions necessary to implement the terms and conditions of the Agreement.

Section 4. Authorization of Fund Expenditure. The Town Manager is authorized to expend funds from the Resort Tax Fund and General Fund-Parks and Recreation Department to implement the terms and conditions of the Agreement.

Section 5. Execution of Agreement. The Town Manager is authorized to execute the Agreement on behalf of the Town, to execute any required agreements and/or documents to implement the terms and conditions of the Agreement and to execute any extensions and/or amendments to the Agreement, subject to the approval as to form and legality by the Town Attorney.

Section 6. Effective Date. This Resolution shall be effective immediately from adoption hereof.

PASSED and ADOPTED on this _____ day of _____

Motion by _____, second by _____.

FINAL VOTE ON ADOPTION

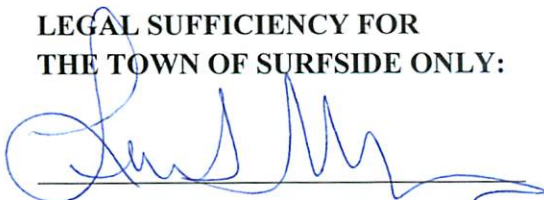
Commissioner Michelle Kligman	_____
Commissioner Joseph Graubart	_____
Commissioner Marta Olchyk	_____
Vice-Mayor Michael Karukin	_____
Mayor Daniel Dietch	_____

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, Town Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR
THE TOWN OF SURFSIDE ONLY:**



Linda Miller, Interim Town Attorney

ZAMBELLI FIREWORKS MANUFACTURING CO.

THIS CONTRACT AND AGREEMENT (this "Contract") is made effective as of this 11th day of April, 2013, by and between:

Zambelli Fireworks Manufacturing Co. of New Castle, Pennsylvania (hereinafter referred to as "Zambelli"),

-AND-

Town of Surfside, 9293 Harding Avenue, Surfside, FL 33154 (hereinafter referred to as "Client").

WHEREAS, Zambelli is in the business of designing and performing exhibitions and displays of fireworks; and

WHEREAS, Client desires that Zambelli provide an exhibition and display of fireworks for Client's benefit pursuant to the terms and conditions hereof, and Zambelli desires to perform an exhibition and display of fireworks for Client's benefit pursuant to the terms and conditions hereof.

NOW, THEREFORE, in consideration of the mutual agreements herein contained:

Zambelli, intending to be legally bound, agrees as follows:

1. Zambelli agrees to sell, furnish and deliver to Client a fireworks display [per the program submitted by Zambelli to Client, accepted by Client and made a part hereof] (hereinafter referred to as the "Display") to be exhibited on the display date set forth below (hereinafter referred to as the "Display Date"), or on the postponement date set forth below (hereinafter referred to as the "Postponement Date") if the Display is postponed as provided herein, which Display Date and Postponement Date have been agreed upon at the time of signing this Contract.

Display Date: July 4, 2013 Postponement Date (if any): _____

2. Zambelli agrees to furnish the services of display technicians (hereinafter referred to as "Display Technicians") who are sufficiently trained to present the Display. Zambelli shall determine in its sole discretion the number of Display Technicians necessary to take charge of and safely present the Display.
3. Zambelli agrees to furnish insurance coverage in connection with the Display for bodily injury and property damage, including products liability, which insurance shall include Client as additional insured regarding claims made against Client for bodily injury or property damage arising from the operations of Zambelli in performing the Display provided for in this Contract. Such insurance afforded by Zambelli shall not include claims made against Client for bodily injury or property damage arising from failure of Client, including through or by its employees, agents and independent contractors, to perform its obligations under this Contract, including without limitation those set forth in paragraphs 5 and 6 below. Client shall indemnify and hold Zambelli harmless from all claims and suits made against Zambelli for bodily injury or property damage arising from failure of Client, to perform its obligations under this Contract, including without limitation those set forth in paragraphs 5 and 6 below.

Client, intending to be legally bound, agrees as follows:

4. Client agrees to pay Zambelli the sum of **\$12,000** (hereinafter referred to as the "Purchase Price"), fifty percent (50%) of which is due upon signing this Contract and the balance of which is due three days before the Display Date. Zambelli reserves the right to add to Client's invoice an equitable transportation surcharge in the event of any material increase in transportation costs (including the cost of fuel and third party shipping costs) to Zambelli after the date of this Contract. In addition, Client agrees to pay a postponement fee of fifteen percent (15%) of the Purchase Price plus Additional Third Party Charges (as defined in paragraph 11 below) if the Display is fired on the Postponement Date, or twenty-five percent (25%) of the Purchase Price plus Additional Third Party Charges if the Display is fired on a date other than the Display Date or the Postponement Date ("Alternate Date"). The Alternate Date must occur within six months of the original Display Date at a time agreeable to both Zambelli and the Client. Generally, Alternate Dates will not include the period from June 28th through July 7th. These Checks shall be made payable to Zambelli Fireworks Manufacturing Co., unless otherwise authorized in writing by Zambelli. NO CASH shall be paid to any agent or employee of Zambelli, unless otherwise authorized in writing by Zambelli. There shall be no refund of the Purchase Price due and payable under this paragraph 4, except as specifically provided in paragraph 11 below.
5. Client agrees to meet all deadlines outlined in the Design and Production Provisions, which has been provided to Client, including but not limited to the following:

- (a) Client must select a suitable place for the Display, including a firing and debris zone reasonably acceptable to Zambelli (hereinafter referred to as the "Display Area") and submit such selection to Zambelli no later than sixty (60) days prior to the Display Date. The Display Area shall adhere to or exceed applicable National Fire Protection Association ("NFPA") standards including the Zambelli guideline that the Display Area have a radius of at least 100 feet per inch (or as mutually agreed to between Zambelli and Client) of the largest diameter pyrotechnic from the firing site in all directions to any parking area, spectators, inhabited buildings, public roads, or active railroad. Client shall submit a site map (attached hereto as Exhibit A) to Zambelli accurately representing the physical characteristics of the Display Area as pertains to NFPA and Zambelli guidelines. The content of the Display may be limited by the selection of the Display Area due to the requirement to provide sufficient safety zones.
 - (b) Zambelli will secure all permits necessary for the Display as required, including but not limited to police, local, state and United States Coast Guard ("USCG") permits, and arrange for any security bonds or insurance as required by law. Client will assist Zambelli when appropriate in completing permit applications.
- 6. If, in its sole discretion, Client designates an area for members of the public to view the Display (hereinafter referred to as the "Spectator Area") or an area for vehicular parking (hereinafter referred to as the "Parking Area"), Client shall (a) ensure that the Spectator Area does not infringe on the Display Area, (b) have sole responsibility for ensuring that the terrain of the Spectator Area and any structures thereon, including but not limited to grandstands and bleachers are safe for use by spectators, (c) have sole responsibility for ensuring that the Parking Area is safe for use, (d) have sole responsibility to police, monitor and appropriately control spectator access to the Spectator Area and the Parking Area and police and monitor and appropriately control the behavior of persons in these areas. It is expressly agreed that Zambelli shall not inspect any area other than the Display Area, except to ensure that any Spectator or Parking Areas are outside the Display Area.
- 7. Prior to, during, and immediately following the Display, Client shall monitor the Display Area and will be solely responsible to keep all persons and property not authorized by Zambelli out of the Display Area and behind safety zone lines and limits.
- 8. Following the Display, Client shall be solely responsible for policing of the Display Area and for cleanup except as specifically provided in the sentence immediately following. Zambelli shall be responsible for the removal of unexploded fireworks and the cleanup of material debris, the removal of frames, sets and lumber from the Discharge Area, and the refilling of holes created by Zambelli or on behalf of Zambelli within the Discharge Area.
- 9. Client will include a direct reference to "Zambelli Fireworks" in all promotional material, including but not limited to event schedules; radio, television, newspaper and internet announcements; newspaper articles; and other media.

The parties, intending to be legally bound, mutually agree as follows:

- 10. It is agreed and understood by the parties hereto that should inclement weather prevent firing of the Display on the Display Date, as determined by the Authority Having Jurisdiction (as defined in paragraph 14 below) or as reasonably determined by Zambelli, then the program shall be postponed and fired on the Postponement Date. If there is no Postponement Date and the Display is not fired on the Display Date, or if inclement weather prevents firing of the Display on the Postponement Date, as determined by the Authority Having Jurisdiction or as reasonably determined by Zambelli, the Display will be cancelled and there will be no refund of the Deposit or fifty percent (50%) of the Purchase Price, whichever is greater.
- 11. Client's cancellation of the Display will only be effective upon receipt by Zambelli of a written notice from an authorized person representing Client. In the event of cancellation of the Display, the parties agree as follows:
 - (a) If Client cancels the Display more than sixty-one (61) days prior to the Display Date, Client agrees to pay Zambelli a cancellation fee equal to ten percent (10%) of the Purchase Price plus Additional Third Party Charges, as defined below.
 - (b) If Client cancels the Display from thirty-one (31) to sixty (60) days prior to the Display Date, Client agrees to pay Zambelli a cancellation fee equal to twenty percent (20%) of the Purchase Price plus Additional Third Party Charges, as defined below.

- (c) If Client cancels the Display from five (5) days prior the Display to thirty (30) days prior to the Display Date, Client agrees to pay Zambelli a cancellation fee equal to thirty percent (30%) of the Purchase Price plus Additional Third Party Charges, as defined below.
 - (d) If Client cancels the Display less than five (5) days prior to the day of the Display, Client agrees to pay Zambelli a cancellation fee equal to fifty percent (50%) of the Purchase Price plus Additional Third Party Charges, as defined below.
 - (e) "Additional Third Party Charges" shall mean all costs and expenses incurred by Zambelli and paid or payable to third parties in connection with the Display, including but not limited to security fees, permits and licensing fees and expenses, barge and tow expenses, and firewatch fees.
12. Zambelli reserves the exclusive right to make minor modifications and substitutions to the Display, provided that such changes are reasonable and necessary and do not materially adversely affect price, time of delivery, functional character or performance of the Display.
 13. It shall be within Zambelli's and/or the Authority Having Jurisdiction's discretion to terminate the firing of the Display if any unsafe or unsuitable condition is identified. If such condition is not corrected, Zambelli may cancel the Display without further liability to Client for such cancellation.
 14. The parties agree to cooperate with the regulatory authorities having jurisdiction over the Display, including, but not limited to local fire and police departments, the Bureau of Alcohol, Tobacco, Firearms and Explosives, the Department of Transportation, the Department of Homeland Security, and the USCG (any such authority having jurisdiction over the Display is sometimes referred to herein as, the "Authority Having Jurisdiction"). The parties acknowledge that such governmental regulatory authorities having jurisdiction over the Display have the right to prohibit the Display until unsafe or unsuitable conditions are corrected.
 15. This contract shall be deemed made in the State of Florida and shall be construed in accordance with the laws of the State of Florida, excluding its conflict of law rules. The parties agree and consent to the jurisdiction of the courts of the State of Florida and Miami-Dade County to decide all disputes regarding this Contract.
 16. If Client becomes bankrupt or insolvent, or if a petition in bankruptcy is filed by or against Client or if a receiver is appointed for Client, Zambelli may refuse to perform under this Contract and may terminate this Contract without prejudice to the rights of Zambelli. If Client's financial condition becomes unsatisfactory to Zambelli, Zambelli may require that Client deposit the balance of the Purchase Price in escrow or provide sufficient proof of its ability to pay the balance of the Purchase Price.
 17. Except to the extent, if any, specifically provided to the contrary herein, in no event shall Zambelli be liable to Client for any indirect, special, consequential, incidental or punitive damages or lost profits, however caused and on any theory of liability (including negligence of any kind, strict liability or tort) arising in any way out of this contract, whether or not Zambelli has been advised of the possibility of damages.
 18. If Client fails to pay the monies due under this Contract, Zambelli is entitled to recover the balance due plus interest at one and one-half percent (1 ½ %) per month on amounts past due sixty (60) days or more. Further, on balances outstanding one hundred twenty (120) days or more, Zambelli is entitled to recover the balance due, plus accrued interest, plus attorneys fees of ten percent (10%) of the amount past due, plus court costs, or, if less, the maximum amount permitted by law.
 19. It is expressly intended, understood and agreed that CONTRACTOR is acting solely as an independent contractor and in no respect an agent, servant, or employee of the TOWN. Accordingly, CONTRACTOR shall not attain or be entitled to any rights or benefits of the TOWN, nor any rights generally afforded classified or unclassified employees. CONTRACTOR'S employees shall not be deemed an employee of, the TOWN. CONTRACTOR shall be responsible for the payment of all taxes and withholdings in connection with earnings.
 20. Each party hereunder shall be excused for the period of delay in the performance of any of its obligations hereunder and shall not be liable for failure to perform or considered in default hereunder, when prevented from so performing by a cause or causes beyond its reasonable control, including but not limited to fire, storm, earthquake, flood, drought, accident, explosion, operation malfunction, or interruption, strikes, lockouts, labor disputes, riots, war (whether or not declared or whether or not the United States is a member), Federal, state, municipal or other governmental legal restriction or limitation or compliance therewith, failure or delay of transportation, shortage of, or inability to obtain materials, supplies, equipment, fuel, power, labor or other operational necessity, interruption or curtailment of power supply, or act of God, nature or public enemy.

21. This Contract constitutes the sole and entire understanding of the parties with respect to the matters contemplated hereby and supersedes and renders null and void all prior negotiations, representations, agreements and understandings (oral and written) between the parties with respect to such matters. No change or amendment may be made to this Contract except by an instrument in writing signed by each of the parties.
22. Notices, consents, requests or other communications required or permitted to be given by either party pursuant to this Contract shall be given in writing by first class mail, postage prepaid addressed as follows: if to Zambelli, to the address set forth below; if to Client, to _____.
23. This Contract may be executed in one or more counterparts, each of which shall be deemed to be an original but all of which together shall be deemed to be one and the same instrument. The exchange of copies of this Contract and of signature pages by facsimile transmission shall constitute effective execution and delivery of this Contract as to the parties and may be used in lieu of the original Contract for all purposes. This Contract and all the rights and powers granted by this Contract shall bind and inure to the benefit of the parties and their respective successors and assigns.
24. _____

IN WITNESS WHEREOF, we set our hands and seals to the agreement in duplicate the day and year first above written.

FOR Client:

FOR: Zambelli Fireworks Manufacturing Co.

BY _____
date

BY _____
date

Please sign contract where indicated for Client and return all copies for final acceptance to:

Zambelli Fireworks Manufacturing Co.

1 West Camino Real Blvd, Ste 100

Boca Raton, FL 33432

561.395.0955

800.245.0397

FAX 561.395.1799



**Town of Surfside
Town Commission Meeting
April 9, 2013
7 p.m.**

Town Hall Commission Chambers - 9293 Harding Ave, 2nd Fl
Surfside, FL 33154

DISCUSSION ITEM MEMORANDUM

“Short Term Parking Meters”

Title: Short Term Parking Meters (Please see attached photo) 15 – 30 minutes?

Objective: To help downtown visitors/patrons have quick and easy access spots available. By doing so, I believe this will benefit the businesses as well.

Consideration: Many ‘shopping trips’ to our downtown business district are for a quick trip or errand: to pickup or drop off a letter/package at the Post Office, a Slice of Pizza or a takeout order from one of our many fine restaurants, a bank deposit / cash a check / ATM transaction to name a few.

I am suggesting to simply return to what existed for many years here by installing ‘short term’ parking meters at two locations: 94th and 95th streets Between Collins Ave and Abbott Avenues. I would estimate that this is about 18 spaces. I sincerely believe (and have observed) some of these spaces ‘taken’ by cars parked for hours, if not all day – some by employees of the business district.

A recent visit to Midtown in Miami provided me with the opportunity to take a picture of this idea/plan in use that I have previously recommended. Patrons would park – feed the meter and pickup takeout orders, etc.

It is my desire to give the Town Manager direction to do this. If the Commission desires, this can done on a trial basis for one year.

Submitted Respectfully,

Joe Graubart, Commissioner



MEMORANDUM

TO: Mayor and Town Commission

FROM: Roger M. Carlton, Town Manager



SUBJECT: Commercial Vehicles Parking

DATE: April 9, 2013

CC:

Over the past month, complaints of the lack of parking available in the lots in Surfside have increased substantially. The 94th Street lot is full Monday through Friday by 9:00 am. The other lots in the business district are filled by mid-morning. The Abbott Lot does not function properly during the mid-day hours with cars circling or stopping in a traffic lane for a space to open. The lots are filled to capacity with some cars illegally parked in traffic lanes or against medians. Occupied vehicles are parked in the disabled spaces waiting for open spaces.

Over the past month in order to alleviate this problem, the Police and the Parking Departments have increased enforcement with citations and the chalking of vehicles each morning to identify the four hour limit violators. Drivers have caught on and wiped off the chalk or switched spaces with fellow workers to avoid citations and to park all day in the lots. Many of these vehicles belong to contractors and workers from the St. Regis Hotel in Bal Harbour. Many drive large vans and trucks further congesting the lots. The Chief and Lt. Williams have met with the St. Regis management last week who alleged to be unaware of the Surfside problem but did recently cancel their contract with Haulover Park because the workers were not using the parking or bus. The St. Regis management will meet with contractors and workers this week in an attempt to persuade them not to park in Surfside. The Police Department also issues monthly business parking permits in the 94th Street Lot. Due to the lack of available parking, the business permits will be decreased beginning next month. We currently have a waiting list of over 100 business permits request. We do not advertise these permits. The projects at Young Israel, the Grand Beach and the 95th Street condo have also requested and were denied permits for their workers. The Shul asked for 100 spaces last week for their valet during a special event. They too were denied. We do have them contact Bay Harbor Islands to rent spaces because there is available parking in their parking garage. Residents parking overnight in the lots will also be enforced to free up additional spaces in the morning for customers and employees of the businesses

Between the hours of 11:00am–3:00pm it is very difficult if not impossible to find a parking space in the business district. Merchants and customers are growing in anger.

Possible solution:

- Ban construction workers from the Abbott Lot and delivery vehicles.

Implications:

- Construction workers will park in the residential area.
- Go to another lot.
- Park on Harding Avenue.
- Merchants need deliveries.
- Merchants need repair to their property.
- Extra police needed to enforce.

Possible solution:

- Allow commercial vehicles and delivery vehicles to park only in designated areas on the west side of the Abbott Lot, 10 parking spaces in the middle and 10 spaces in the south. Restriction on from 11:00am to 5:00pm, and commercial marked vehicles only.

Implications:

- Some patrons may try to park there and will be ticketed.
- More signage will be unattractive.
- Additional negative reaction from everyone who receives a citation.

Possible solution:

- Add Surfside bus run to Bay Harbour Islands garage from 7:00am to 7:00pm funded by construction companies, using the old bus. The new bus will be delivered next week. This must be approved by Bay Harbour Islands.
- Must be funded by the contractors and developers.
- Staff work to manage the project.

In summary it is no longer possible to ignore the parking shortage issue. The situation is becoming intolerable, this concern is being placed on the Town Commission Agenda for discussion an direction.



**Town of Surfside
Town Commission Meeting
May 15, 2013**

DISCUSSION ITEM MEMORANDUM

Title: Saturday (weekend) Commercial Landscape Maintenance and ‘Gardeners’

Consideration: To discuss the intrusiveness, noise, pollution, etc., created by commercial landscape maintenance crews (a/k/a Gardeners) – on Saturdays in the Single family district and possibly condo district as well (depending upon association preferences).

Action: I am asking: does this Commission want to give direction to research eliminating Saturday Commercial landscape maintenance? Or, not allow before 10, or 11 AM ??

If so, to direct Town Attorney to look into other community’s rules and regs that has adopted this type of action (ordinance) and to prepare a report for us – and/or ordinance.

Additional Info/Note:

- 1. Residents would remain to be allowed to maintain their own yards under existing rules and regs.**
- 2. A bi-lingual informational ‘flyer’ would be prepared and distributed by SPD, Code Compliance, and residents – as well as ‘advertized’ in Gazette and Town Gov’t Channel 77 explaining the new ordinance – along with a grace period. We would not want to send anyone home (commercial landscaper/gardener) after scheduling and driving here during that grace period. Additionally, this ‘flyer’ would also explain the ‘blower’ ordinance.**

Approximate Cost: Minimal/None to ascertain information stated above under “Action.”

Thank you for your consideration;

Respectfully,

Joe Graubart, Commissioner



**Town of Surfside
Town Commission Meeting
May 15, 2013
7 p.m.**

DISCUSSION ITEM MEMORANDUM

Title: “Construction Worker Parking Program”

Objective: To provide: as conveniently located as possible, inexpensive, safe and secure, parking for construction workers. Require ‘developer’ to provide transportation to and from parking. To determine if parking lot(s) are available during the week, for either the Town or developer to rent. Possibly the St. Joseph’s Church, lots adjacent to the Town located on Miami Beach that are mostly unused during the week, and the last choice of somewhere in Haulover Park.

Consideration: It is the ‘job’ of the Town Commission to protect resident’s safety, health and well being – this agenda item pursues this goal. We have just learned that construction of the ‘hotel project’ on 92nd street will shortly commence. We know that the Surf Club will also start at sometime in the near future... and, other projects are inevitable.

Action: I am asking the Commission to give direction to the Town Manager and Town Attorney to prepare a plan to accomplish the above directive with the help and input of SPD. Determine cost of ‘off duty’ SPD officers to provide security, parking enforcement, etc. Determine, if to be paid for out of building department ‘permit fees, developer agreements in place, etc.?’

Additional Info/Note: Importance: High
Contact Comm. Sally Hayman’s office for help if needed.

Approximate Cost: Minimal/None to ascertain information stated above under “Action.”

Thank you for your consideration;

Respectfully,

Joe Graubart, Commissioner



Town of Surfside Commission Communication

Agenda Item #: 9G

Agenda Date: May 15, 2013

Subject: Land Use Plan Permitted Uses

From: Michael Crotty, Town Manager
Shelley Eichner, AICP, Town Planner

Background: In June 2007, the Town adopted Ordinance 07-1479 (RLUIPA ordinance) which regulates places of public assembly (See Exhibit A). Part of this ordinance included locational requirements for places of public assembly which are depicted in the Public Assembly Places map which was included as part of the ordinance (See Exhibit B). The areas included all of the H40 and SD-B40 zoning districts, the H30C district east of Harding Avenue, portions of the MU district and two lots in the H30B district that abut 96th Street.

At the time that the RLUIPA ordinance was adopted, the Land Use Element of the Comprehensive Plan listed only density and intensity standards in each of the land use categories. When the Comprehensive Plan was updated in 2010, Florida Statutes required that permitted uses also be listed within the various land use categories (See Exhibit C).

During the initial review of the proposed site plan for The Shul and in reviewing the Public Assembly Places map compared to the permitted uses in the comprehensive plan categories, staff discovered that places of public assembly are not included in certain land use categories even though they are included in the RLUIPA overlay map. In particular, the Low Density Residential, the Moderate Density Residential/Tourist and the General Retail/Services land use categories do not permit places of public assembly.

It is clear that it was the intention of the Town Commission to specifically identify areas in the Town where places of public assembly should be permitted when the RLUIPA ordinance and related overlay map were adopted in 2007.

Recommendation: Staff recommends that the text of the future land use plan be amended so that the permitted uses within the land use categories are consistent with the RLUIPA ordinance and its overlay map.

Budget Impact: N/A

Growth Impact: N/A

Staff Impact: N/A



Shelley Eichner, AICP, Town Planner



Michael Crotty, Town Manager

Exhibit A

ORDINANCE NO. 07-1479

AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING THE TOWN CODE BY AMENDING CHAPTER 90, ARTICLE I "IN GENERAL" SECTION 90-2 "DEFINITIONS" TO PROVIDE DEFINITIONS OF "COMMON AREA" AND "PLACE OF PUBLIC ASSEMBLY"; AMENDING ARTICLE II "ADMINISTRATION AND ENFORCEMENT" SECTION 90-41 "CONDITIONAL USES" TO PROVIDE THAT CHURCHES AND SYNAGOGUES SHALL NOT BE CONSIDERED CONDITIONAL USES; AMENDING ARTICLE IV "DISTRICT REGULATIONS" SECTION 90-147 "RD-1 TWO FAMILY RESIDENTIAL DISTRICT" TO PROVIDE THAT CHURCHES AND SYNAGOGUES SHALL NOT BE CONSIDERED CONDITIONAL USES; AMENDING ARTICLE IV "DISTRICT REGULATIONS" SECTION 90-149 "RM-1 MULTI-FAMILY RESIDENTIAL DISTRICT" TO AMEND PROVISIONS RELATED TO CONDITIONAL USES; AMENDING ARTICLE IV "DISTRICT REGULATIONS" SECTION 90-151 "RT-1 TOURIST DISTRICT" TO AMEND PROVISIONS RELATED TO PERMITTED AND CONDITIONAL USES; AMENDING ARTICLE IV "DISTRICT REGULATIONS" SECTION 90-152 "B-1 BUSINESS DISTRICT" TO PROVIDE THAT PLACES OF PUBLIC ASSEMBLY SHALL BE PERMITTED WITHIN THE B-1 BUSINESS DISTRICT ONLY ON SECOND FLOORS AND HIGHER; AMENDING ARTICLE V "SUPPLEMENTARY REGULATIONS", DIVISION 3 "OFF-STREET PARKING", SECTION 90-226 "OFF-STREET PARKING REQUIREMENTS" TO PROVIDE CONSISTENT OFF-STREET PARKING REQUIREMENTS FOR PLACES OF PUBLIC ASSEMBLY; AMENDING ARTICLE V "SUPPLEMENTARY REGULATIONS", DIVISION 5 "PLACES OF PUBLIC ASSEMBLY", TO PROVIDE FOR ESTABLISHMENT OF SECTION 90-245 "LOCAL REQUIREMENTS FOR PLACES OF PUBLIC ASSEMBLY" TO PROVIDE THAT PLACES OF PUBLIC ASSEMBLY SHALL BE PERMITTED WITHIN THE AREA DEPICTED ON THE LOCATION MAP PROVIDED IN THIS SECTION; AMENDING ARTICLE V "SUPPLEMENTARY REGULATIONS", DIVISION 5 "PLACES OF PUBLIC ASSEMBLY", TO PROVIDE FOR "PLACES OF PUBLIC ASSEMBLY", TO PROVIDE FOR ESTABLISHMENT OF SECTION 90-246 "NO-FEE OPERATIONAL LICENSING OF NOT-FOR-PROFIT PLACES OF PUBLIC ASSEMBLY"

TO PROVIDE FOR A LICENSING MECHANISM FOR PLACES OF PUBLIC ASSEMBLY; AMENDING ARTICLE V "SUPPLEMENTARY REGULATIONS", DIVISION 5 "PLACES OF PUBLIC ASSEMBLY", TO PROVIDE FOR ESTABLISHMENT OF SECTION 90-247 "HOME-BASED AND COMMON-AREA BASED ASSEMBLY USES" IN ORDER TO PROVIDE FOR REGULATION OF HOME-BASED PLACES OF PUBLIC ASSEMBLY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission (the "Commission") recognizes the need to regulate places of public assembly for the health, safety and welfare of the Town; and

WHEREAS, the Commission believes it is in the best interest of the Town to amend the Code of Ordinances to address the location of and provide standards for places of public assembly; and

WHEREAS, major corridors within residential zoning districts provide sufficient capacity to address the land use impacts of places of public assembly; and

WHEREAS, to enhance the vitality of and promote a healthy mix of uses within the downtown area, it is appropriate to limit places of public assembly to the second floors and higher of buildings within the B-1 zoning district; and

WHEREAS, the Town Commission recognizes that home-based and common-area based assemblies in residential zoning districts may create parking, noise, traffic and other impacts, and that these impacts should be addressed by appropriate regulation; and

WHEREAS, the Town Commission desires to provide for regulation of places of public assemblies which foster and enhance the desired mixture of uses within the downtown area; and

WHEREAS, in order to create additional standards to address parking impacts arising from home-based and common-area based assembly uses occurring in residential zoning districts, the Town Commission desires to amend the Code of Ordinances; and

WHEREAS, the Town Commission desires to encourage the location of places of public assembly in areas that, based upon sound planning judgment, are most appropriate for assembly uses; and

WHEREAS, the Town seeks to encourage compliance with its Code of Ordinances by amending the Code to create a no-fee operational licensing procedure for not-for-profit places of public assembly; and

WHEREAS, the Town Commission finds that enactment of these regulations through its powers will protect the public health, safety, and welfare of the residents of the Town, and furthers the purpose, goals, and objectives and policies of the Town's Comprehensive Plan.

Ordinance No. 7- 1479

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA:

Section 1. Code Amended. The Town Code is hereby amended by amending Section 90-2 "Definitions" to read as follows:

* * * * *

Common area shall mean a room or designated area within a building or complex of buildings zoned for residential use served by shared or public parking areas, which is reserved for the exclusive use of the residents of the building or complex and their invited guests, and is an accessory use to the primarily residential use of such buildings.

* * * * *

Place of public assembly shall mean any area where individuals assemble, whether publicly or privately owned and maintained. Includes, but is not limited to, public assembly buildings such as auditoriums, private clubs and lodges, community centers, clubhouses, and theaters; and places of worship or other facilities that are used for prayer and assembly by persons of similar beliefs.

* * * * *

Section 2. Code Amended. The Town Code is hereby amended by amending Section 90-41 "Conditional uses" to read as follows:

* * * * *

(b) *Conditional uses enumerated.* The following buildings, structures, and uses may be approved by the town commission as conditional uses in any district in which they are specifically allowed, as indicated within the provisions for individual zoning districts. Approval of such conditional use(s) in accordance with the procedures and standards of this section shall only be granted where it has been clearly shown that the public health, safety, morals, and general welfare will not be adversely affected; that adequate off-street parking facilities, in accordance with this chapter, will be provided; and that necessary safeguards will be provided for the protection of surrounding property:

~~(1) Churches and synagogues.~~

(2) (1) Institutions, educational or philanthropic, including museums, but not including nursing homes or hospitals.

(3) (2) Off-street parking lots and garages.

(4) (3) Public and governmental buildings.

(5) (4) Public utilities or public service uses, buildings, structures and appurtenances thereto.

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(6) (5) A bar accessible from the pool or pool deck for use solely by guests of hotels and motels in the RT-1 tourist district. In all cases, it shall be the exclusive responsibility of the owner, operator, tenant or user of the property to assure that neither the sale nor consumption of beverages shall occur or be allowed to occur off the property or on any portion of the property lying east of the bulkhead line.

* * * * *

Section 3. Code Amended. The Town Code is hereby amended by amending Section 90-147 "RD-1 two-family residential district" to read as follows:

Sec. 90-147. RD-1 two-family residential district.

(a) Purpose of the district. The purpose of the RD-1 two-family residential district is to provide for both single-family and two-family residences, and in certain instances for more intensive residential uses along the east side of Harding Avenue, but building heights shall be limited to two stories to protect nearby single-family residences.

(b) Permitted uses. A building or land shall be used only for the following purposes:

(1) Any use permitted in the RS-1 and RS-2 single-family residential districts.

(2) Two-family dwellings.

(3) The owner of 75 feet or more of property along the east side of Harding Avenue may erect a multiple-family building.

(c) Permitted accessory uses. Any accessory use permitted in the RS-1 and RS-2 single-family residential districts.

(d) Permitted conditional uses. Those uses which may be permitted as conditional uses shall be only those described under subsections ~~90-41(b)(1)~~, 90-41(b)(2), 90-41(b)(3), 90-41(b)(4) and 90-41(b)(5).

(e) Height, area and yard requirements. Maximum height regulations and minimum requirements for floor and lot area and for yards are contained in section 90-155.

Section 4. Code Amended. The Town Code is hereby amended by amending Section 90-149 "RM-1 multiple-family residential district" to read as follows:

Sec. 90-149. RM-1 multiple-family residential district.

(a) *Purpose of the district.* The purpose of the RM-1 multiple-family residential district is to encourage a good standard of rental living units that will accommodate both tourists and yearround residents. However, no services or sales to guests shall be permitted within buildings within this district.

(b) *Permitted uses.* A building or land may be used only for the following purposes:

(1) Any use permitted in the RD-1 two-family residential district.

(2) Multiple-family dwellings.

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(3) Motels.

(4) Suite-motels, but only for buildings newly-constructed or converted to suite-motels on or after June 1, 1999. No building shall convert from another use to a suite-motel unless it meets all requirements for a suite-motel, including but not limited to all zoning requirements of this Code.

(c) *Permitted accessory uses.*

(1) Any accessory use permitted in the RS-1 and RS-2 single-family residential districts.

(2) An office containing an area of not more than two percent of the gross floor area of the building for administration of rental units in a building containing ten or more living units.

(3) Lounges, card rooms and auxiliary kitchens which are solely for the use of residents and guests.

(4) A laundry room for the use of residents and guests of a multiple-family dwelling. Coin-operated laundry machines may be utilized.

(5) Coin-operated vending machines such as for candy, tobacco, ice, soft drinks and sundries inside a building containing ten or more living units or guest rooms.

(6) Off-street parking and loading facilities.

(7) Swimming pools, cabanas and game courts for the use of guests of the hotel, motel or residential development.

* * *

(d) Permitted conditional uses. Those uses which may be permitted as conditional uses shall be only those described under subsections 90-41(b)(3-2), 90-41(b)(4-3) and 90-41(b)(5-4).

Section 5. Code Amended. The Town Code is hereby amended by amending Section 90-151 "RT-1 tourist district" to read as follows:

Sec. 90-151. RT-1 tourist district.

(a) *Purpose of the district.* The purpose of the RT-1 tourist district is to provide facilities that will afford convenience for tourists and enable intensive use of the ocean frontage. Tall buildings are permitted but ample open space is required around such buildings.

(b) *Permitted uses.* A building or land shall be used for the following purposes:

(1) Any uses permitted in the RM-1 multifamily residential district, ~~except that no churches or synagogues shall be permitted.~~

~~(2) Private clubs.~~

~~(3) (2) Hotels and motels.~~

(4) (3) Hotels and motels may provide a barbershop, beauty parlor, dining room, and coffee shop, bar or cocktail lounge, telegraph office, tobacco, candy, and newsstand, automobile rentals where rental vehicles are not kept on premises, ready to

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wear shops, travel agencies, gift and sundry shops, coin operated machines as defined in section 70-33, washing machines as defined in section 70-33, and marble, coin or amusement machines (other than gambling devices), and diet and health spas providing services solely to guests; provided, however, that such facilities may be entered only from the inside of the structure and there shall be no window or evidence of such facilities from outside the hotel or motel except as provided in section 90-209(b)(1)b.

~~(5)~~ (4) Suite-hotels, but only for buildings newly-constructed or converted to suite-hotels on or after June 1, 1999. No building shall convert from another use to a suite-hotel unless it meets all requirements for a suite-hotel, including but not limited to all zoning requirements of this Code.

~~(6)~~ (5) Suite-motels, but only for buildings newly-constructed or converted to suite-motels on or after June 1, 1999. No building shall convert from another use to a suite-motel unless it meets all requirements for a suite-motel, including but not limited to all zoning requirements of this Code.

* * * *

(e) Permitted conditional uses. Those uses which may be permitted as conditional uses shall be only those described under subsection 90-41(b)(6 ~~5~~).

Section 6. Code Amended. The Town Code is hereby amended by amending Section 90-152 "B-1 business district" to read as follows:

Sec. 90-152. B-1 business district.

(a) Purpose of the district. The purpose of the B-1 business district is to provide for retail shopping and personal service needs of the town's residents and tourists. It is intended to prevent uses and activities which might be noisy, offensive, obnoxious or incongruous in behavior, tone or appearance and which might be difficult to police.

(b) Permitted uses. No building or land within this district shall be used in whole or in part except for one or more of the following permitted uses:

(1) Art agencies:

- a. Antique shops.
- b. Gift shops.
- c. Art dealers.
- d. Art supplies.
- e. Photographers and camera stores.
- f. Art and photograph galleries.

(2) Bakeries, subject however, to the following restrictions and conditions:

- a. That no baking shall be done on the premises for other retail or wholesale outlets.
- b. That ovens or oven capacity is limited in total usable baking

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space, not to exceed in volume 18 standard pans of 18 by 26 inches in width and length.

c. That adjoining properties shall be safeguarded and protected from exhaust fan or other obnoxious noises and odors at all times.

d. That all baking will be done by the use of electric or natural gas (not bottled gas) ovens only.

e. All machinery and equipment shall be entirely confined within the main building.

f. That the hours of baking operation shall be limited to those hours between 6:00 a.m. and 9:00 p.m.

g. That the entire store area shall be fully air-conditioned as required for comfort.

h. That baking shall not be permitted within 20 feet of the store front, and shall be separated from the sales area by a partition or counter.

(3) Barbershops.

(4) Beauty parlors: Exterior windows on the ground floor shall be screened, curtained or otherwise made opaque four feet six inches from the grade of the adjacent sidewalk so as to block the view of the interior premises from the public right-of-way. However, such screening shall not be required where only hair styling and manicures are performed within 20 feet of the public right-of-way.

(5) Business and professional offices, except veterinary offices.

(6) Clothing stores and services:

a. Men's, women's, children's clothing.

b. Millinery.

c. Tailor.

d. Shoes.

e. Dry cleaning and laundry agency, provided all machinery which provides cleaning or laundry services shall be separated from customer areas by a partition or counter and no customers shall be permitted to use such machinery. In addition, all drycleaning machinery shall be nonventilated, sealed system type machinery in which "Fluorocarbon R-113" type solvents are used.

f. Furrier.

g. Shoe repair, provided no machinery for providing repairs shall be visible from the sidewalk or street and no shoe repair shop shall be permitted on Harding Avenue Avenue.

h. Dry goods.

(7) Department stores.

(8) Entertainment:

a. Video tape sales and rentals, provided all tapes sold are prerecorded, and all tapes are rated either G, PG, PG-13, or R.

b. Caterers.

c. General ticket agencies.

d. ~~Theatre and cinema.~~

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- (9) Existing filling station on the unnumbered lot at the southwest corner of Block 4, Altos Del Mar No. 6.
- (10) Food products, provided that no sales shall be made through an open window to any street, alley, driveway or sidewalk:
 - a. Delicatessens.
 - b. Restaurants.
 - c. Candy and nut shops.
 - d. Grocery and meat stores or supermarkets, provided no live meat or poultry shall be kept on the premises.
 - e. Confectionery and ice cream stores.
 - f. Fruit shops.
 - g. Liquor stores.
- (11) General or special merchandise:
 - a. Toys.
 - b. Hardware, paint and wallpaper.
 - c. Luggage.
 - d. Office machines and supplies.
 - e. Pet supplies.
 - f. Stationery and greeting cards.
 - g. Furniture, provided no repairing or servicing of furniture is permitted on the premises.
 - h. Jewelry.
 - i. Flowers and plants.
 - j. Sporting goods.
 - k. Drug stores and sundries.
 - l. Cigars and tobacco.
 - m. Books and newspapers.
 - n. Appliances.
 - o. Pottery.
 - p. Interior decorator.
- (12) Locksmith, except on Harding Avenue.
- (13) Monetary services:
 - a. Banks.
 - b. Savings and loan associations.
 - c. Stock and bond brokers.
 - d. Currency exchange.
- (14) Music:
 - a. Sale of televisions, radios, phonograph and recording equipment.
 - b. Sheet music and musical instruments.
- (15) Public services:
 - a. Telegraph station.
 - b. Telephone exchange.
- (16) Travel agency.
- (17) Coin-operated machines. Coin-operated machines for dispensing goods or services are permitted, except that washing machines, dryers and other laundry-related equipment are prohibited. No coin-operated games of chance are permitted, but coin-operated games of skill are

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permitted within establishments solely dispensing liquor, as defined in chapter 6, for consumption on the premises only; provided, however, that not more than three such games of skill are permitted in any such establishment, and that such games shall not be used for wagering nor for the awarding of prizes of any value.

(18) Places of public assembly, which shall be permitted on the second and higher floors only.

~~(18)~~ (19) The following uses shall be permitted throughout this district, provided such uses shall be located above the first floor level:

a. Dance or music instruction studios, provided such studios meet all of the following restrictions and conditions:

1. That the premises be air conditioned and soundproofed.
2. That no dance instruction or dancing shall be visible from any sidewalk, street or alley.
3. That the opening and closing hours for such studios may be established by the town commission at its discretion at any time.

b. Delivery service.

c. Driving school offices, provided such use shall be limited to offices only, and shall not be interpreted in any manner as permitting the conduct of any such school's or schools' business, activities or functions upon the public streets of the town.

d. Employment agencies, provided that such agencies maintain at all times sufficient office space to accommodate all applicants for employment using their services and obviate the congregating or loitering of such applicants in any hallway or on any sidewalk.

e. Health studio or club, or reducing salon.

f. Loan or mortgage office.

g. Medical or dental clinic.

h. Modeling school, language school, or athletic instruction.

i. ~~Private club or lodge hall.~~

j. Radio or television station or studio.

k. Secretarial service, mailing, bookkeeping, court reporter.

l. Taxi agency.

m. Title company.

* * * * *

Section 7. Code Amended. The Town Code is hereby amended by amending Section 90-226 "Off-street parking requirements" to read as follows:

Sec. 90-226. Off-street parking requirements.

(a) Except as otherwise provided herein, when any building or structure is hereafter constructed; or structurally altered so as to increase the number of dwelling units or hotel/motel rooms; to increase its total commercial floor area;

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or when any building or structure is hereafter converted to any of the uses listed in subsection (b) of this section, off-street parking spaces shall be provided in accordance with the requirements of subsection (b) of this section, or as required in subsequent sections of this article.

(b) The number of off-street parking spaces that shall be required to serve each building or structure and use shall be determined in accordance with the following table:

- (1) Single-family dwelling in the RS-1 district: Two spaces.
- (2) Single-family dwelling in all other districts: One space.
- (3) Two-family dwelling: One space for each dwelling unit.
- (4) Multiple-family dwelling, for each dwelling unit:

TABLE INSET:

Efficiency and one-bedroom unit:	1.5 spaces
Two and three bedroom unit:	2.0 spaces
Four-bedroom or more unit:	2.25 spaces

For projects of greater than 60 dwelling units, parking spaces may be provided as tandem spaces, provided, however, a minimum of one unencumbered parking space, tandem or regular, must be provided for each dwelling unit and valet parking service shall be provided at all times. One visitor parking space for each 15 dwelling units unless tandem parking with valet services is provided in which case one visitor space for each 20 units is required.

- (5) Hotel and motel: One space for each room.
- (6) Suite-hotel and suite-motel: One and one-quarter spaces for each room.
- (7) ~~Church, synagogue, temple or other place of public assembly with fixed seats:~~ Place of public assembly with fixed seats: One space for every four (4) seats and one space for every six (6) feet of bench seating.
- (8) Place of public assembly without fixed seats: One space for each 50 square feet of floor area available for seats.
- ~~(8) Private clubs and lodges: One space per 250 square feet of gross floor area.~~
- ~~(9) Auditorium or theatre: One space for each four seats.~~
- ~~(10) (9) Grocery, fresh fruit or meat market: One space for each 250 square feet of gross floor area.~~
- ~~(11) (10) Retail store or personal service establishment: One space for each 300 square feet of gross floor area.~~
- ~~(12) (11) Office or office building: One space per 400 square feet of gross floor area; however, medical offices, dental offices and clinics shall provide one space per 300 square feet of gross floor area.~~
- ~~(13) (12) Restaurants or other establishments for the consumption of food and beverages on the premises: One space per four seats.~~

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~~(14) Place of public assembly without fixed seats: One space for each 50 square feet of floor area available for seats.~~

(15) (13) Banks, savings and loans or other financial institutions: One space per 300 square feet of gross floor area.

Section 8. Code Amended. The Town Code is hereby amended by amending Section 90-227 "Interpretation of these requirements" to read as follows:

Sec. 90-227. Interpretation of these requirements.

(a) The parking required herein is in addition to space required for the loading and unloading of trucks or other vehicles used in connection with a business, commercial, or industrial use.

(b) Where fractional spaces result, the parking spaces required shall be construed to be the next highest whole number.

(c) The parking space requirements for a use not specifically listed in this section shall be the same as for a listed use of similar characteristics of parking demand generation.

(d) In the case of mixed uses, uses with different parking requirements occupying the same building or premises, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.

(e) Whenever a building or use, constructed or established after the effective date of this article, is changed or enlarged in floor area, number of dwellings or sleeping units, seating capacity or otherwise, to create a requirement for an increase in the number of required parking spaces, such spaces shall be provided on the basis of the enlargement or change.

(f) Where a place of public assembly, as defined in Section 90-2 of this Chapter, has been in existence for at least ten (10) years and a variance from the parking requirements of this Chapter is requested, hardships pertaining to the variance request shall not be considered self-created for purposes of consideration of the merits of the variance request.

Section 9. Code Amended. The Town Code is hereby amended by amending Article V "Supplementary Regulations" to establish Division 5 "Places of Public Assembly"; Section 90-245 "Locational Requirements for Places of Public Assembly" to read as follows:

Sec. 90-245. Locational Requirements for Places of Public Assembly

Places of public assembly shall be permitted within the area depicted in Figure 90-245 ("Public Assembly Places") in this Section; however, within the B-1 Zoning District, places of public assembly shall be permitted on the second or higher floors only, as provided in Section 90-152(b)(18).

Section 10. Code Amended. The Town Code is hereby amended by amending Article V "Supplementary Regulations", Division 5 "Places of Public Assembly", to create Section 90-246 "No-fee operational licensing of not-for-profit places of public assembly" to read as follows:

Sec. 90-246. No-fee operational licensing of not-for-profit places of public assembly.

(a) A place of public assembly operated by a not-for-profit organization qualified under Section 501(c)(3) of the Internal Revenue Code and registered pursuant to Chapter 496, Florida Statutes, shall not be occupied until it obtains an operational license from the Town.

(b) The operator of a qualifying place of public assembly shall obtain a form from and submit an application for an operational license by contacting the Department of Building and Zoning. No fee shall be charged by the Department.

(c) The Town Manager or his or her designee shall notify the holder of any operational license, in writing, of the Town's intent to revoke an operational license if he or she determines that the following circumstances exist:

(1) The Town has reasonable grounds to believe that the premises are being used in a manner that is inconsistent with, or contrary to, the provisions of the zoning code or any other applicable code or statute.

(2) In the event of a conviction of any director of the organization holding the operational license by a court of competent jurisdiction, for the violation of any criminal statute committed in conjunction with the operation.

(3) It has been ascertained that the holder of the operational license falsified any information on its application.

(4) The holder of the operational license, or the holder's designated manager, operator, or supervisor, refuses to permit an authorized law enforcement officer or code enforcement officer to inspect the premises during normal operating hours for the purpose of investigating a complaint which has been filed against the operation.

(d) The notice of intended revocation of an operational license shall state the following:

THE HOLDER OF THE OPERATIONAL LICENSE SHALL HAVE TEN (10) DAYS FROM THE DATE OF RECEIPT OF THIS NOTIFICATION EITHER TO BRING THE PREMISES INTO COMPLIANCE OR TO REQUEST A HEARING, IN WRITING, BEFORE THE TOWN COMMISSION. IF THE VIOLATION IS NOT CURED OR IF NO WRITTEN REQUEST FOR A HEARING IS RECEIVED BY THE TOWN OF SURFSIDE WITHIN TEN (10) DAYS OF THE DATE OF THIS NOTIFICATION BY THE CERTIFICATE HOLDER, THE OPERATIONAL LICENSE SHALL BE CONSIDERED REVOKED.

(e) If the holder of the operational license requests a hearing before the Town Commission, the operational license shall remain in effect during the pendency of the action before the Town Commission.

(f) The original of the operational license shall be posted upon the premises at

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all times.

Section 11. Code Amended. The Town Code is hereby amended by amending Article V "Supplementary Regulations", Division 5 "Places of Public Assembly", to establish Section 90-247 "Home-based and common-area based assembly uses" to read as follows:

Sec. 90-247. Home-based and common-area based assembly uses.

(a) Applicability. The standards set forth in this subsection shall apply to any proposed or existing home-based or common-area based assembly use located in the following residential zoning districts: RS single-family residential district, RS-1 single-family residential district, RS-2 single-family residential district, RD-1 two-family residential district, RD-2 two-story multiple family residential district, RM-1 multiple-family residential district, and RT-1 Tourist District.

(b) Home-based and common-area based assemblies are permitted, whether for social, religious, or other reasons, as an incidental accessory use to the principal residential use.

(c) Frequency of home-based and common-area based assembly uses. Assemblies that occur four (4) or more times per month for two (2) consecutive months will be deemed to be beyond the scope of the accessory use and shall not be permitted.

(d) Parking standard.

(1) Home-based assembly uses. A home-based assembly use which results in an additional eleven (11) vehicles being parked near the dwelling unit at each assembly will be deemed to be beyond the scope of the accessory use and shall not be permitted. Vehicles parked legally on the site of the home-based assembly, or upon another parcel pursuant to a lawful agreement with the owner of such parcel, shall not be counted toward the eleven (11) vehicles.

(2) Common-area based assembly use. A common area-based assembly use which results in an additional six (6) vehicles being parked near the common-area based assembly use will be deemed to be beyond the scope of the accessory use and shall not be permitted. Additionally, the parking demand created by such assemblies shall not exceed the supply of parking spaces provided within the shared guest or visitor parking areas allocated to common-area functions.

Section 12. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 13. Inclusion in the Code. It is the intention of the Town Commission, and it is hereby ordained that this Ordinance shall become and be made a part of the Town of

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Surfside Code; that the sections of this Ordinance may be renumbered or relettered to accomplish such intention; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 14. Conflicts. Any and all Ordinances and Resolutions or parts of Ordinances or Resolutions in conflict herewith are hereby repealed.

Section 15. Effective Date. This Ordinance shall become effective within 10 days from adoption on second reading.

PASSED and ADOPTED on First Reading the 10th day of May, 2007.

PASSED and ADOPTED on Second Reading this 12th day of June, 2007.



Charles W. Burkett, Mayor

Attest:



Beatris M. Arguelles, CMC
Town Clerk

Approved As to Form and Legal Sufficiency:



Lynn M. Dannheisser, Town Attorney

Moved

by: Commissioner Imberman

Second

by: Commissioner Levine

Vote:

Mayor Burkett yes ☒ no ☐

Vice Mayor Weinberg yes ☒ no ☐

Commissioner Blumstein yes ☒ no ☐

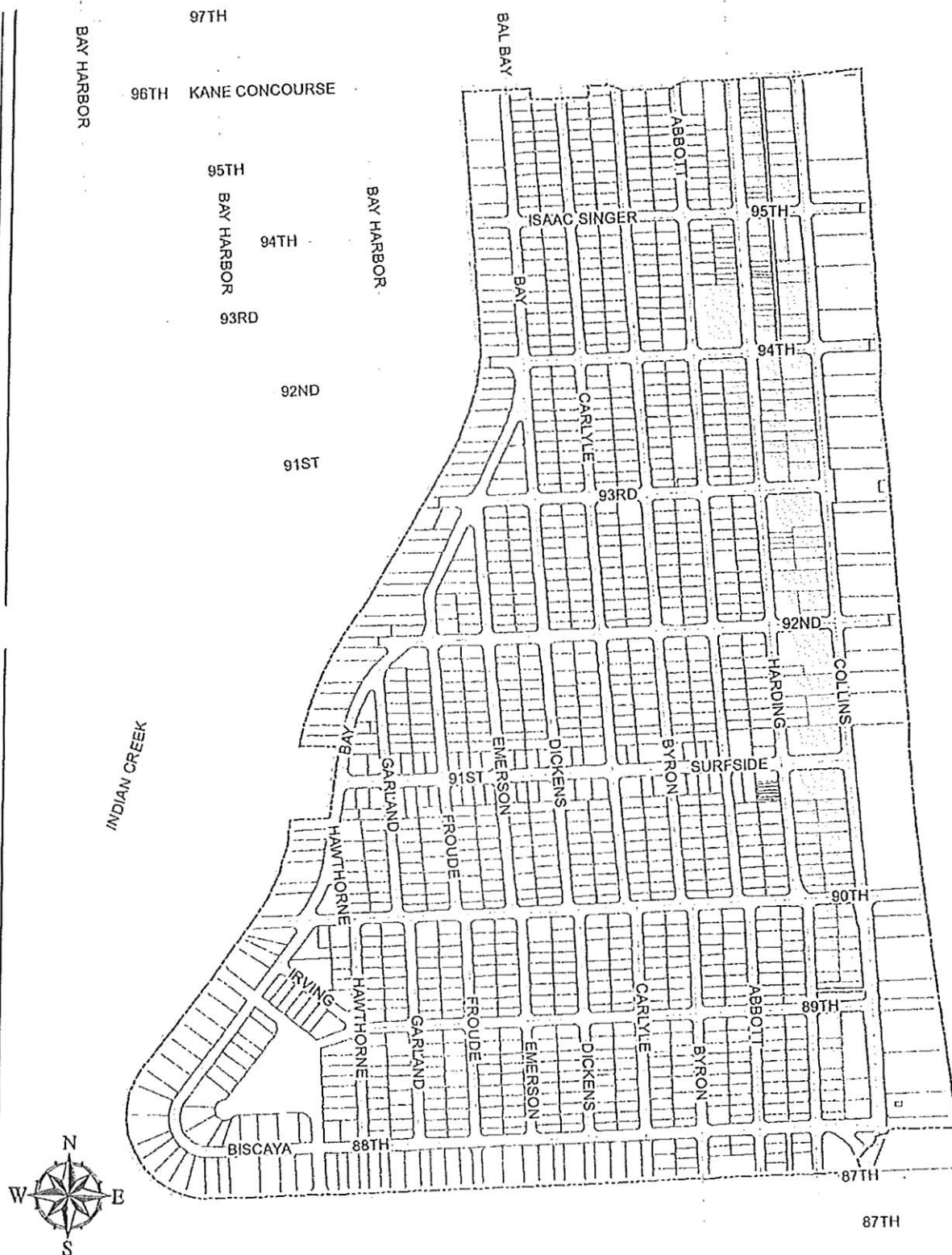
Commissioner Imberman yes ☒ no ☐

Commissioner Levine yes ☒ no ☐

Ordinance No. 7-1479



Figure 90-245



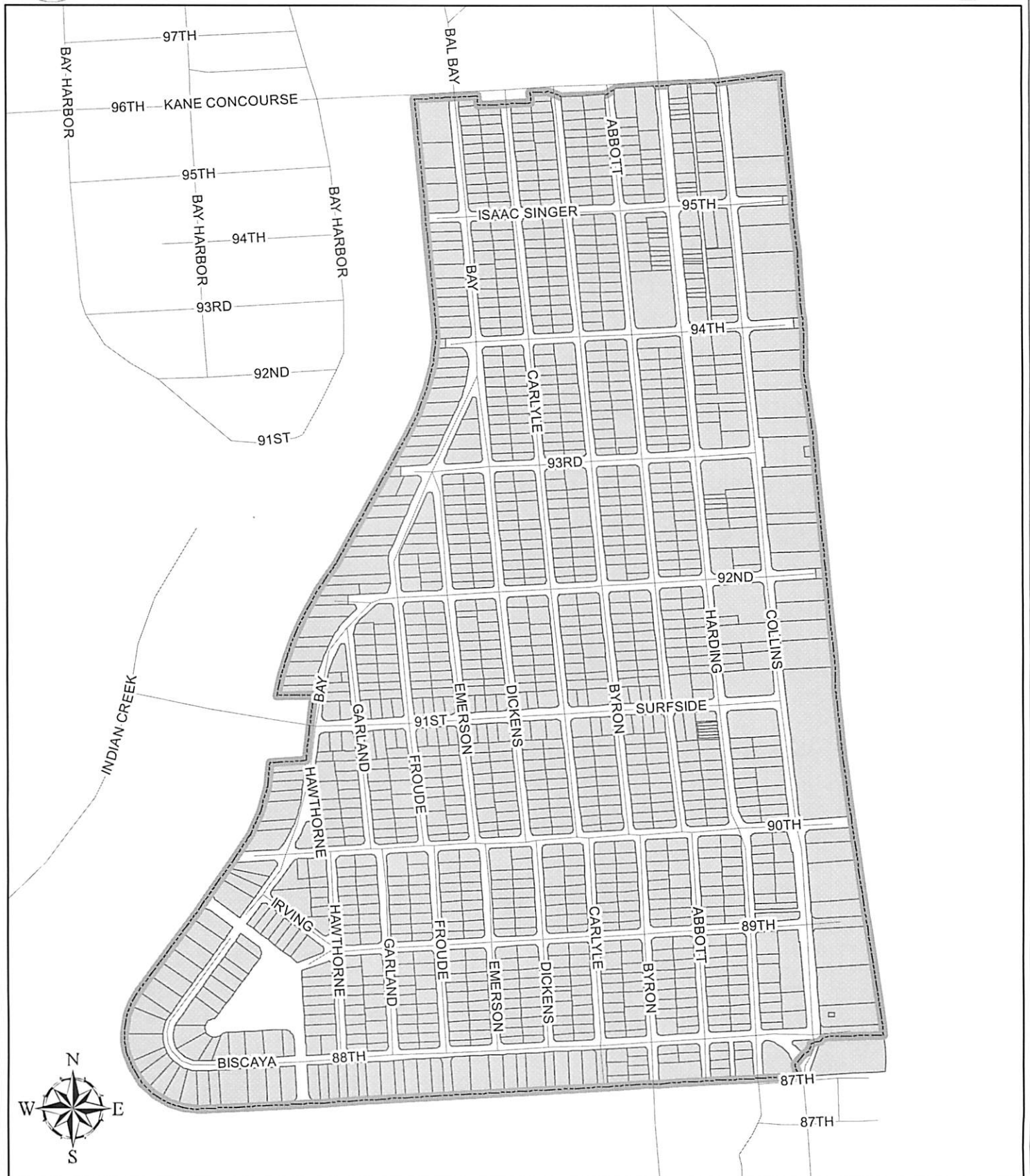
Calvin, Giordano & Associates, Inc.
EXCEPTIONAL SOLUTIONS

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GIS

Produced and/or derived by the CGA
Geographic Information Systems Division





Calvin, Giordano & Associates, Inc.

0 255 510 1,020 1,530 2,040
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Produced and maintained by the CGA
Geographic Information Systems Services



EXHIBIT C

Town of Surfside Comprehensive Plan Future Land Use Element

Policy 1.1 – The Town shall maintain, improve and strictly enforce provisions which are consistent with the Future Land Use Map, including the land uses and densities and intensities specified thereon and including the following:

Low Density Residential: up to 8 dwelling units per acre and not more than 30 feet in height. Permitted uses are single family residential use and parks and open space.

Moderate Low Density Residential: up to 17 dwelling units per acre and not more than 30 feet in height. The permitted uses are single family, duplex, and multi-family residential uses, public schools, places of public assembly, and parks and open spaces. This category is the buffer between Harding Avenue commercial uses and single family residential uses on west side of Abbott Avenue.

Moderate-High Density Residential: up to 79 residential dwelling units per acre or up to 108 hotel units per acre and not more than 40 feet in height. The permitted uses are single family, duplex, and multi-family residential uses, hotels, public schools, places of public assembly, and parks and open spaces.

High Density Residential/Tourist: up to 109 dwelling or hotel units per acre and not more than 120 feet in height. The permitted uses are single family, duplex, and multi-family residential uses, hotels, public schools, places of public assembly, and parks and open spaces.

Moderate Density Residential/Tourist: up to 58 residential dwelling units per acre or up to 108 hotel units per acre and not more than 40 feet in height. The permitted uses are single family, duplex, and multi-family residential uses, hotels, public schools, and parks and open space.

General Retail/Services: up to a floor area ratio of 3.0 and not more than 40 feet in height. The permitted uses are commercial uses (professional, retail, office and related parking).

Public Recreation: up to a floor area ratio of 0.05 and not more than 30 feet in height. The permitted uses are Town-owned public parks and state-owned beachfront east of the erosion control line and immediately adjacent to the Atlantic Ocean.

Private Recreation: up to a floor area ratio of 0.05 and not more than 30 feet in height. The permitted uses are privately owned open space and land between bulkhead and erosion control line (privately owned land).

Public Buildings and Grounds: up to a floor area ratio of 3.0 and not more than 40 feet in height. The permitted uses are Town-owned and publicly-owned land and facilities.

Parking: up to a floor area ratio of 3.0 and not more than 40 feet in height. The permitted use is parking.

Community Facilities: up to a floor area ratio of 3.0 and not more than 70 feet in height. The permitted use is Town-owned facilities for community use.



Town of Surfside Commission Communication

Agenda Item #9H

Agenda Date: May 15, 2013

Subject: Town-wide Traffic Study Public Outreach - (also POL Item 29)

Background: Calvin, Giordano and Associates, Inc. (CGA) completed a Town-wide Traffic Study in 2012 which included several recommendations for transportation infrastructure improvements. At the April 9, 2013 Town Commission meeting, the Commission directed to move forward with a public outreach initiative to obtain input from Town residents and stakeholders regarding the proposed improvements identified in the traffic study.

Public Outreach Proposal: The public outreach is not an implementation of the proposed improvements contained within the traffic study, but rather a chance for residents to become knowledgeable and weigh in on the study's findings. The public outreach meeting will help gauge whether there is interest in moving forward to pursue some or all of the recommendations contained within the traffic study. The major emphasis of the public outreach will be on the traffic and "calming" issues in the residential areas. However, a general overview of the additional components of the study (signal timing improvements and monitoring of future traffic patterns/conditions utilizing VISSIM software) will be presented.

Approach: Staff working with the consultants (CGA), who prepared the traffic study, will hold up to two televised public outreach meetings. CGA will prepare presentation materials and graphics to assist in the presentation. The presentation will include, in addition to general overview discussed above:

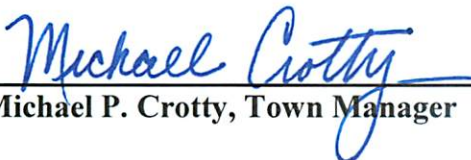
1. What is "traffic calming" and how can it benefit the Town and specific residential areas
2. Present study findings on existing and proposed traffic calming locations
3. Present study findings on speed analysis in residential areas
4. Present issues/options identified by the Town Commission at its April 9, 2013 meeting including:
 - a. Full or partial closing of Byron Ave at 88th Street
 - b. Closure of 90th and 92nd Streets at Harding Avenue
 - c. Installation of a pedestrian crossing at 96th Street
 - d. Review and discuss previous decision to remove stop signs/stripping along 90th Street

5. Explain process involved with implementing traffic calming including Miami-Dade regulations; residents approval and the possibility of establishing more stringent speed and traffic calming controls if improvements are funded with local revenues
 6. Solicit public feedback/input on report and calming options. Attendees will be able to provide input using real-time hand held voting devices
- The consultant will prepare and present to the Commission a detailed summary of the public outreach effort
 - Date of First Public Meeting: Establish date after the first week in June, 2013 in order to include information in the June edition of the Gazette
 - Public Notification: Town website; June Gazette; news release for inclusion in the Miami Herald Neighbors; use of Smart Board in various locations throughout residential neighborhoods and Channel 77 announcement

Budget Impact: The consultant's proposal for the public outreach effort was \$7500 which included attending one public meeting. Through discussion with Staff, the consultant agrees to an additional public outreach meeting and to process the Town's request through the appropriate agencies for the timing changes to the traffic signals at 96th and Harding and 96th and Collins as per the traffic study.

(Note: While the timing change of the signal at 96th and Harding is being reviewed, FDOT will be asked by Staff to study the possible re-establishment of the crosswalk that was previously eliminated and to assess the reclassification of residential streets).

Requested Action: Commission determine if the above public outreach effort achieves the objective of the Commission for receiving public feedback and provide direction regarding establishing date of first outreach meeting


Michael P. Crotty, Town Manager